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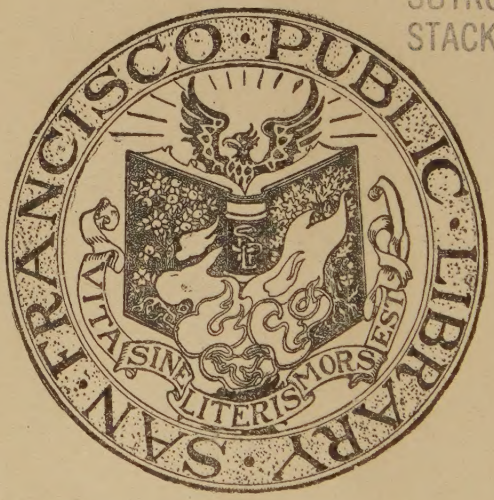

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MAINE HISTORICAL SOCIETY

SECOND SERIES

DOCUMENTARY

HISTORY OF THE STATE OF MAINE

VOL. XXI

CONTAINING

THE BAXTER MANUSCRIPTS

EDITED

BY JAMES PHINNEY BAXTER, A. M., LITT. D.

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PREFACE

THIS volume continues the story of the hard conditions confronting the people of Maine after the close of the Revolutionary War. They had made great sacrifices for the preservation of their homes, many of which, located upon land subject to conflicting claims, rendered their tenure insecure, and many whose titles were unquestioned were too poor to pay the taxes levied upon them by the Government for the expenses of the war and its own maintenance; in fact, they were subject to innumerable difficulties which compelled them to seek relief from the Government, which must have put its members to their wit's end to devise measures of relief. To attain a settled condition in the remoter parts of Maine was for many years a task which must have seemed almost hopeless to settlers and legislators. It was, however, at last accomplished, and in a manner which reflects credit upon all concerned.

As usual I am indebted to Mr. Edward Denham for the Index.

JAMES PHINNEY BAXTER,
61 Deering Street,
Portland, Maine.

January, 1916.

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Amendment to Salmon Fishery Act.

Commonwealth of Massachusetts In the year of our Lord one thousand seven hundred & Eighty five

An Act, for altering one Clause in an act passed Octo^{r} 24th 1783 Intitled an act to Regulate the Catching of Salmon, Shad & Alewives and to remove & prevent obstructions in Merrimack River & in the other Rivers & Streams runing into the same within this Commonwealth

Whereas in the fourth enacting Clause of the aforesaid act, it is enacted that no person or persons shall at any time catch any Salmon Shad or Alewives with Sienes, nets, pots or any other way at the mouth or Entrance of any of the aforesaid Rivers or Streams or within Eighty Rods of the Same — whereby all persons are prohibited fishing at any time at the mouth of said Merrimack River, be it therefore Enacted by the Senate & House of Representatives in General Court Assembled & by the authourity of the same that any & every Person has full Liberty to Catch fish in any way at the mouth of Merrimack River aforesaid on Such days as is allowed by the Law aforesaid.

In the House of Representatives March 14, 1785

This Bill having had three several Readings passed to be Engrossed

Sent up for concurrence

Sam A Otis Spk^{r}

The Legislature of the State of New Hampshire having, by request of the Legislature of this Commonwealth, passed a similar Act to that passed Octo. 24, 1783 — how far will it be thought by that State — generous to extend the fishery at the mouth of Merrimack River beyond the Liberty given by said Act — without first proposing it to that State — ?

Pownalboro Jan'y 22, 1785

Sir:

I herewith transmit the copies & Extracts you wrote for, and must beg pardon for not sending them sooner. I received your first letter when from home, and on my return laid it by and thro divers avocations & Businesses it escaped my memory. Upon the receipt of your other letter I applied myself to the work, and take this first opportunity to send them. It has cost me much Time as I had to go through the whole Records, and hope they will answer your purpose; the paper I made use of is bad, but the best I could procure here — The Time & Trouble it has cost me I think is worth Ten Dollars which please to pay the Bearer.

I am with due regard your most humble

Servant Tho Rice

Hon^{ble} Henry Knox Esq

Boston Feb'y 21, 1785

Sir

I have written to you repeatedly for certain papers relative to the Estate of the late Thomas Fleecker, Esq.^{r} I have sent three copies of the same tenor and date — I request you in the most earnest manner that you would immediately

forward me the papers I have requested in those letters, and you shall be paid the customary fees upon the receipt thereof.

I am Sir

Your humˡ

H. Knox.

Thoˢ Rice Esq.
Forwarded by Steward Hunt
who lives within half a mile of Mr. Rice.

Boston 5 April 1785

Sir

I should have answered your letter immediately upon its receipt but I was not possessed of the circumstances which would enable me to do it with propriety. Indeed this is the first opportunity — I cannot settle the amount which you state against Mr. Fleecker's Estate — This must be the work of Commissioners who may be hereafter appointed to examine all the claims which shall be brought the Estate — All that I can observe in general that candor, and integrity, on both sides will be the only valid means by which the party deficient expect to derive confidence and forbearance

I shall return here in June, when it is probable I shall wait upon you and enter more minutely into the affairs.

I am Sir

Your humble sᵗ

H. Knox.

Genᵉʳ Palmer

Boston July 14, 1785

Dear Sir

The Genˡ Court having, after your departure, passed a Resolve relative to the claim under Beauchamp & Leverett, I have inclosed it for your inspection. As it was a long time

in the Governour's possession I did not know whether it would finally pass or not, & therefore began to copy the proceedings from the Journal relative to this subject which I will finish & transmit if you shall be in need of them.

I am Sir

Your humb. Servt

Geo. R.d Minot.

Genl Knox

N York

Boston August 16, 1785.

Sir

I arriv'd here from St. Georges the 30th of July last, with 156 Hogds. Lime. Was in hopes to have seen you before you left Town. I receivd your letter by the hand of Mr. I. Winslow Junr. I should have wrote you before had I not Expected you down to St. Georges after the last session of the Genl Court was over — It was out of my power to compromise matters with the Lime burners, there was not one that would comply fully with the Terms, that was Nathl Fails — Col° Jones Representative for the Town Bristol Sent a Circular Letter to the Towns and Plantations on the patent which made a Great of uneasiness for a while. I have Inclosed you a Copy of the Letter — which Accidently fell into my hands. Col° Wheaton and my Self thinks it highly necessary for you to come down this Fall as there is a great deal to be done this winter if the business is Carried on another Summer. Excepting these Lime burners can be Stopd Burning, it would not be worth our attention another year, there is five kills in Thomaston, two of them built new this Summer—everything Round us looks in a ruinous Situation, there is a fence wanting to inclose the two Farms, of one mile and a half in length—we find it very hard in raising our

Lime Stone—Expect to burn Nine Hundred Hogds—Lime kills very dull here. I shall sail tomorrow for St. George—

I am Sir with Respect

Your very Humb[l]

Serv[t] James Hall

Gen[l] Knox.

Neguntecook Harbour, November y' 30[th] 1785

His Excelance General Knox:

Honored Sir i am sory that I am oblidged to trouble you on account of a Lot of Land I agreed with Esq[r] Fleecher for as i informed you last June in Boston and Showed you a letter, I had to have it run, but it was Negglected. if your Honour will be so Kind as to send me sumthing to Show that I have your apperabation as I have from Esq[r] Fleecker and any pertickler spot as y[e] N. E poin which is the front of said land that I now and have been on and had interest there these twelve years the pitch of the point my line will not toweeh there my be 4 or 5 acers ledges and all to y[e] Soward, and I hope you will be so kind as to send for me to have all the point it being no advantage to any person what it will be to me for it is Narra with Ledges from Bay to ye cove—your Honour: told me to adject of Joseph Richards y[e] 2[d] for He has Sitt dwn on the front of my lot but having no a thoraty only my Own word, My attorney thought it best to Sew for trespas so I have and I hope you will asist me for I am the Only person in this Nabourhood that came on by way of propriators if they can Gett the beter of me---in court, for want of your asistance it will cost a considerable for me here is another Difficulty all most Every one has run their Lines to Sutt their fancies that I can make no fence until I have my place run with out giving up all my front Sir I pray

and hope for your asistance;— Mr. James Minot and y^e^ widow Minott both can inform your Honour confering this lot I am on I conclude your Most Humble Servt.

To command

Robert Craig.

His Excelance

General Knox Esq^r^.

Petition of William M^c^Cobb.

Commonwealth of Massachusetts

To the honorable Senate & honorable House of Representatives of the Commonwealth of Massachusetts in General Court assembled —

The Petition of William McCobb of Boothbay in the County of Lincoln Humbly sheweth

That in the month of February Anno Domini 1780 a Complaint was regularly preferred to your Petitioner as a Justice of the Peace for the said County against Patrick McGuyer, Thomas McGuyer and Ebenezer Fullerton all of the same County upon a Law of the then State of Massachusetts entitled "An Act for prescribing and establishing an Oath of Fidelity and Allegiance" passed in the year 1777, as persons inimical to the United States of America — that in consequence of the said Complaint the said Patrick Thomas & Ebenezer were legally convened before your petitioner, who tendered to them severally the Oath of fidelity required by the said Act, but the said Patrick Thomas & Ebenezer obstinately persevered in their refusal to take the same Oath, whereupon your Petitioner after much persuasion with the said Patrick, Thomas & Ebenezer to no purpose was compelled tho' very reluctantly to issue his Warrant of Commitment against the said Persons; pursuant to which they

were all conveyed to the common Goal in the said County, but before they were actually committed to Prison, they made Application to Jonathan Bowman Esq[r] who lived in the neighbourhood of said Goal, & expressed a desire of taking said Oath rather than go to Goal — Whereupon M[r] Bowman & Charles Cushing Esq[r] then Brigadier of the same County wrote to your Petitioner advising him to liberate the said Persons upon their taking the said Oath especially as they appeared to be very penitent That upon the Receipt of those Letters your Petitioner immediately laid them before the Committee of Safety for the said town of Boothbay and took their advice as to the measure therein proposed which the said Committee approved of & thereupon your Petitioner immediately went to the said Goal which is thirty miles distant from his place of Residence & administered the said Oath to the said Persons, and then discharged them, previous to which they each of them gave your Petitioner a note of hand for the sum of One hundred & twenty one pounds ten shillings in the then currency for the costs that had already arisen, & some time afterwards they came to your Petitioner paid him the money & took up the said notes without making any Objection thereto in a little time after this the said Persons began to propagate a report very injurious to your Petitioners Character that he had altered each of the said notes while in his hands from the said sum of One hundred & twenty pounds ten shillings to the sum of One hundred & thirty pounds ten shillings & the said Thomas McGuyer actually brought his Action against your Petitioner for money had & received to the amount of the last mentioned sum, Whereupon your Petitioner at the particular request of the said Thomas & the others agreed that the said action should be dropped & that all matters in controversy between your Petitioner & each of said Parties respecting said matter should be left to the Arbitration of John Stinson Esq[r] &

two other Gentlemen & at the same time it was agreed between the said parties that neither of them should have an Attorney before the said Arbitrators — that some time afterwards the said Arbitrators met upon the said Business when your Petitioner was very much surprized to find that the said Persons had procured an Attorney contrary to their said Agreement who insisted on arguing their cause before the Arbitrators tho' your Petitioner strongly objected to it as being very unfair, but as the said Attorney persevered in his resolution your petitioner was obliged to send twenty miles to procure an Attorney on his part, but without success & thereupon consented by the persuasions of the said Arbitrators to come to a hearing without any attorney — That upon the trial the said Arbitrators refused to admit the testimony of a man who was introduced by your petitioner as a witness merely because he had been formerly a complainant against them the said persons, That the said three persons were each admitted as Evidence for the others tho' your petitioner has since learned & can now fully prove that they were all equally interested in the vent of each suit, & that they had entered into an agreement before the trial to bear their equal proportion of the costs that might arise in the pursuit of all the said suits — That after this unequal hearing was over the said Arbitrators published their Award wherein they determined that your petitioner should pay to the said Thomas McGuyer, Patrick McGuyer and Ebenezer Fullerton a large sum of money each amounting in the whole to near Eighty pounds lawful money in specie & all upon this Idea that your Petitioner did in truth alter the said notes, which they could only gather from the partial Evidence of the said Persons for each other, & also from a mistaken notion that the Arrest of the said Persons was illegal because they conceived that the said Law was unjust, but they ought to have remembered, that tho' the Law might be unjust, yet

your Petitioner was obliged by the Law to arrest the said Persons upon complaint being made to him as aforesaid — That your Petitioner conceiving the said Award to be unjust & highly injurious to his Character refused to comply with it, whereupon the said Ebenezer Fullerton brought his Action upon the Arbitration Bond against your Petitioner, who by the advice of his Counsel became default & appealed for a hearing in Chancery upon the Supposition that the facts aforesaid might be there disclosed & taken advantage of but your Petitioner is now informed that those facts can be only taken advantage of by a special plea in a Common Law Court. he therefore most earnestly prays your honors that the said default may be taken off that he may have an Opportunity of a fair hearing & of vindicating his Character as a Man & public Magistrate from the injurious aspersions that have been thrown upon it & as in duty bound will ever pray.

W^m^ M^c^Cobb

May 1785

Governor's Speech.

Gentlemen of the Senate and Gentlemen of the House of Representatives.

You having done me the honour of electing me to the office of chief magistrate of the commonwealth, I take this opportunity of declaring my acceptance of it.

I have a due sense of the honour you have conferred, and shall express it more fully, as soon as may be after the complete organization of the government. I have understood, Gentlemen, that several things have, with great assiduity, been suggested to the disadvantage of my political character;

and particularly that I am under british influence. The other suggestions (so far as I have heard of them) are of little importance: but this is of such a nature, that I find myself obliged to take some notice of it. I would therefore observe, that an honest man, whose character as such I am conscious belongs to me cannot take the oath of office required by the constitution, and at the same time be under Such an influence.

That oath was deemed a sufficient guard against the influence suggested; and my taking it may satisfy you, there was no ground for the suggestion. But, Gentleman, as it is Essential to the good of the commonwealth, that the people at large and the General Court in particular Should have a firm trust and confidence in the integrity of their first magistrate, my duty to them, and to my own character, requires, that I should explicitly declare at my first entering upon that important office, and I do accordingly declare that I never have been, that I am not, and (so far as a man can affirm in regard to his future conduct) that I will not be, under any foreign influence whatever: but on the contrary, that the whole of my administration shall, in every respect, according to my best knowledge and ability, be conducted by the principles of the constitution. Though this declaration may be unnecessary with regard to you, Gentlemen, as I am sure it is in regard to those who are fully acquainted with my political principles and character, it may notwithstanding be needful, in reference to the good people of the commonwealth in general, especially as the suggestions above-mentioned have been very widely disseminated.

I am now ready, Gentlemen, to take the oaths of office, pursuant to the requisitions of the constitution

James Bowdoin

In Senate May 27, 1785, read & sent down

S. Adams, Presid^{t}

Govr's Message.

Gentlemen of the Senate & Gentlemen of the House of Representatives

Your Message of this afternoon informed me, that the two Branches of the General Court are ready to receive any communications, which the Governor may think proper to make to them. In return to that message I would acquaint you, Gentlemen that I purpose to meet you in the Senate Chamber tomorrow at twelve o'clock, when I shall lay before you several matters for your consideration.

James Bowdoin

Council Chamber, May 30, 1785 p m

Acct of Naval Officer, Port of Machias.

Sir Machias June 1785

Inclosed you have an acc^{t} of Light Money collected in my office by which you will observe a bal^{e} of £16 .. 4 .. 5 in my hands, which I shall Transmit by M^{r} John Palfrey who Sails from this in a few Days — the want of a safe & good opportunity has prevented my sending it before this

I am respectfully, Sir your most Ob^{t} Hble Sv^{t}

N Off Port of Machias Stephen Smith

Superscribed: Thomas Ivers Esq^{r} Treasurer, Boston.

Report of Committee on Unappropriated Lands.

Commonwealth of Massachusetts —

June 1, 1785

The Committee appointed by a Resolve of the 28th of Oct^{r} A. D. 1783. on the subject of unappropriated lands in the County of Lincoln and by a Resolve of the 10th of March A. D. 1785 — to sell sundry parcels of lands belonging to

this Commonwealth and lying in the County of Cumberland — take leave to report, that agreeable to the Resolves of the General court they have attended in their office in Boston on the first and third Wednesdays and Thursdays in each month, and at such other times as the business assigned them particularly required —

The Committee since their appointment have received the applications of persons settled on the lands of Government in the County of Lincoln, who have expressed a Desire that the lands whereon they are settled may be granted and confirmed to them, on such terms as Government shall think reasonable, for about one hundred thousand acres exclusive of the twelve townships so called —

The Committee have also received applications from persons who have expressed a Desire to become purchasers of the unappropriated lands of the Commonwealth in that County for several tracts amounting, in the whole, to three hundred & thirty thousand acres or more; about two hundred thousand acres of which lye in the neighbourhood of Penobscott river, the Waldo and Indian Lands, and which cannot be located or disposed of till the boundaries of the Grant to Beauchamp & Leverett, and the authenticity of the Indian titles to lands on that river are assertained.—

The Committee have surveyed and located about one hundred and eighty seven thousand acres of said unappropriated lands, the expence of which surveys amount to two hundred & fifty pounds being one farthing and one third of a farthing per acre nearley —

And further to forward those surveys the present year the Committee have engaged Rufus Putnam Esq^{r} and three other surveyors to act under him, with eighteen hands as chainmen; &c. to proceed next week, with six months provisions, to the County of Lincoln to continue the surveys begun the last year, in the passamaquoddy Country — to

survey some Islands, and other lands in that County — the chainmen at three pounds per month, and the said under surveyors at six, seven, and eight, and the said Putnam at twelve shillings per day —

The Committee are induced to forward the surveys the present year considerably, that they may have in readiness for sale different tracts of said lands to suit different purchasers; and because they are induced to believe they cannot, after the present year, have the assistance of their first and principal surveyor —

The Committee have advertised the lands already surveyed for sale, with a description of the quality and situation thereof, by dispersing printed advertisements in the several parts of the Commonwealth —

The Committee have also entered into several contracts with purchasers of the aforesaid unappropriated lands in the County of Lincoln — with Moses Knap Esq^{r} and Company — James Swan Esq^{r} — Col^{o} Paul D Sargent — Col^{o} Allen — Col^{o} Eddy and others which, together with the proposals made respecting the five townships amount to twenty thousand pounds in Government securities, and the lands sold & contracted for, amount to about seventy nine thousand acres, and average at the price of four shillings one farthing per acre nearly, and the expences of laying out and selling said lands are hitherto something less than two per Cent on the proceeds of the rates considering said securities at their nominal value.—

The Committee are fully convinced that the rate of the unappropriated lands of the Commonwealth in the County of Lincoln would be greatly expedited by assertaining, as soon as possible, the bounds of the grant to Beauchamp and Leverett and the lands to be held by the Penobscott Indians— as the lands on penobscott river, and between that and Kennebeck river from their quality and central situation appear

by the applications of purchasers for them to be much more saleable than any other lands in that County The Committee have attended to the Claims of the Plymouth Company so called, and shall in a day or two report a Statement thereof — and as soon as may be a statement of the other Claims laid before them to the lands in that County wherein the Commonwealth appears to be interested —

S. Phillips jun^{r}
Nath^{l} Wells } Committee
Nathan Dane

In Senate June 1 — 1785 —

Read and Committed to Richard Cranch & Josiah Thatcher Esq^{rs} with such as the Hon^{ble} House shall join —

Sent down for concurrence S. Phillips j^{r} Presid^{t}

In the House of Representatives June 2^{d} 1785

Read and concurred & M^{r} Shepherd, M^{r} Choate & M^{r} Jones are joined

Nathaniel Gorham Speaker

Petition of Selectmen of Falmouth.

To the Honorable Senate, and the Honorable House of Representatives of the Commonwealth of Massachusetts — in General Court assembled —

The Petition of the Subscribers — Selectmen of the Town of Falmouth in the County of Cumberland — humbly sheweth —

That about thirty years ago the General Court of the said Commonwealth granted a Lottery for the building of a Bridge over Pesumpscot River in said Town of Falmouth — That a Bridge was accordingly built over said River — but is now very much out of repair and indeed is in such a Condition that it is become dangerous to pass over the same — That the Town is not liable to maintain the same, nor is it

possible under the present circumstances attending it, which will be particularly represented to your Honors by Joseph Noyes Esq the Bearer hereof to have it repaired, without the interfering Aid of this Honorable Court —

It is a Bridge necessary to be pass'd by all who travel to the County of Lincoln and the eastern part of this County and would be of very great public advantage if it were in good Repair

Your Petitioners therefore in behalf of this Town in particular — and to benefit & accommodate the Country in General — humbly pray that your Honours would grant a Lottery for the purpose of repairing said Bridge, & keeping the same in good repair in time to come — and as no Lottery since that above mentioned has been granted to this part of the commonwealth for any purpose whatever — they humbly hope your Honors will not deny their request — And as in duty bound will pray

Nath[l] Earll,
Joseph Noyes,
Falmouth, June 1, 1785 James Frost.

John M[c]Cracken Petition.

The honourable the Senate and House of Representatives of the Commonwealth of Massachusetts

The Petition of John Mackriken most humbly sheweth

That he served on board the Sloop Providence in the expedition against Penobscut in the year 1779, that after the destruction of the fleet, your Petitioner, having received a bad wound in his heel, and having suffered much in passing the Woods, proceeded to Boston, from whence he went to Charlestown on board the Ship Providence, and was among the prisoners at the surrender of that place — Your Petitioner not having received his Wages for the term of Service

before mentioned, nor any other recompence — he therefore requests your Honours will consider his unfortunate circumstances and allow him such compensation for his services & sufferings as to your Honours shall seem meet —

and your Petitioner as in Duty bound will ever pray

his
John X M°Craken
mark

Petition of Moses Ames in behalf of town of Fryeburg.

Commonwealth of Massachusetts

To the Honourable the Senate and the House of Representatives in General Court assembled June 1785

The Memoreal of Moses Ames in behalf of the Town of Fryeburg humbly Shewith, That the Town of Fryeburg was Doom[d] in the Valuation Settled in the Year 1778, by Reason of their not Receiving the Requisition from the General Court, ordering them to Render an account, of the Polls, and Rateable Estate, within said Town, till after the Valuation was Settel'd—that upon Aplication being made to the General Court in the year 1780, the Court Resolv[d] that the assessors of said Town Should Stay all Proceedings on the then Last tax act till Provision of the Valuation Should take place —

That on application being made to the General Court in the year 1781, Febr[y] 16[th] The General Court Resolv[d] That the Treasurer of the Commonwealth be Directed to Stay all Executions from the Town of Fryeburg untill Further order of the Generall Court, provided said Town of Fryeburg, pays in the one half of all Taxes laid on said Town, Since the Last Valuation was taken — Your Memoreilist begs Leave to observe that the Town of Fryeburg was Doom[d] more than Double what it ought to have ben as appears by the Settlement of the last valuation, and Still Stands Charg[d] on the

Treasurers Book, for the whole Sum (Except the Gold and Silver Tax)

Your Memoreilist humbly prayes that this Honr^{bl} Court would Excuse the Town of Fryeburg from such a part of all the Taxes laid on them as may by the last Valuation appear more than their just proportion by Being Doom^{d} as aforesaid, or Releave the said Town as your Wisdom Shall see fitt — and your Memorilist as in Duty bound Ever prayes —

Moses Ames

Report on Returns for Continental Valuation.

Commonwealth of Massachusetts

In the House of Representatives June 1785

the Committee appointed to Examin what Returns have been made into the Secretarys office from the Several towns for taking the Continental valuation, Beg Leave to Report the following State of facts viz.

that they find many of the Returns made not to be according to Law, many of them are made in Gross and without a Certificate from a Justice of the peace of the assessors having taken the oath as pointed out in the Law for taking said valuation

and many towns have not made any Return at all which are as follows viz

Brookline Salam Greenwich, Granville, Colerain, Warwick, Ervingshier, Chesterfield Gore, Merryfield, Plantation No 7, Duxborough, Eastham, Rainham, Massabeseck, Sanford, Limerick, Little Falls, Parsonsfield, Upton, Holden, Duglas, Harpswell, Gray, Royalsborough, Raymondstown, Bakerstown, Georgetown, New Castel, Woolwich, Winthrop, Waldoborough, Bristol, St Georges, Meduncook, Walpole, Howardstown, Norridgewalk, Sterlington, Lewistown, Balltown, New Ashford.

Report of Committee on Lands in County of Lincoln.

Commonwealth of Massachusetts

In Senate, June 3d — 1785

The Committee of both Houses to whome was committed the Report of the Hon: Samuel Phillips junr and Others a Committee appointed on the Subject of unappropriated lands in the County of Lincoln &c — Have attended that Service, and ask Leave to report as their Opinion, that the said Committee have thus far conducted that intricate and laborious Business in such a Manner as does Honour to their Abilities and will prove greatly beneficial to the Commonwealth. And your Committee farther report as their Opinion that it will be for the publick Interest, and greatly expedite the important Business in which that Committee is engaged, that the Report of a Committee of both Houses made to the last Genl Court, respecting the Bounds of the Grant to Beauchamp and Leverett, should be immediately taken up and acted upon.

All which is humbly submitted

Richard Cranch pr Order

In Senate June 3d 1785 —

Read & Accepted

Sent down for concurrence

S. Phillips junr Presidt

In the House of Representatives June 3d 1785

Read & concurred Nath Gorham Speaker

In re Unppropriated Lands in County of Lincoln.

The Committe appointed by a Resolve of the General Court of the 28th of Octr 1783, on the subject of unappropriated lands in the County of Lincoln received from Rufus Putnam Esqr on the 17th of Novr last a plan of seven townships on the

Passamaquoddy River & Bay, & lying between the Rivers Schoodic & Cobscook, together with Moose Island, Dudley's Island & Trade Island, all surveyed by him, on which is represented the mouth of the Maggaeadava, as taken from an Hallifax plan. — they have also received a return of the quantity and quality of the land in each Township, and also of the names of those who have entered thereon: — The Committee immediately proceeded to advertize in the Independent Chronicle, and in the Essex, Springfield & Worcester Newspapers, the Townships & Islands above mentioned, giving a general description of the situation & quality of the same, & notifying the times & places, where more particular Intelligence might be obtained concerning them.

None of the land above mentioned has yet been sold, but there are some who propose to purchase if they should approve of the soil, & are waiting untill the removal of the snow will admit of their forming a better Judgment of its quality.

On the 17th of December last, an agreement was made by your Committee to sell to Jonathan Eddy Esq^{r} & his Associates, a Township on the east side of Penobscot River, above the head of the tide, adjoyning on the lands lately surveyed by Barnabas Dodge & on the said River, the same to contain twenty five thousand acres, including a landing place) three acres of the land lying on the northwesterly corner of the lands, lately surveyed by the said Dodge, & exclusive of lakes, —the said Town ship to extend six miles back from the said River, — reserving two hundred acres of good land, near the center of the said Township for the future disposition of Government, — And the said Eddy agreed to pay to your Committee the sum of eight thousand dollars in the consolidated Securities of the Commonwealth, as soon as a deed of the said land shall be ready to be delivered, and the like sum of eight thousand dollars —— in like manner, in one year from the delivery of the said deed & to give satisfactory

security for the last mentioned sum; — And the said Eddy further agreed to produce evidence to the General Court that the Penobscot Indians have relinquished their pretensions to the said Township, & to settle thereon, thirty families in one year from the first day of June next, & to appropriate two hundred acres to the use of the ministry; two hundred acres to the use of the first settled minister & two hundred & eighty acres to the use of a grammar School in the said Township, near the center thereof; — but it was nevertheless provided, that if the General Court shall not approve of the said agreement, that the same shall be null & void. —

Your Committee on the 14th of this instant February agreed with Robert Page of Winthrop to sell to him, or to him & his Associates a gore of land adjoining to Livermore's town, containing about six thousand seven hundred acres, including ponds & bogs, for the sum of five thousand dollars, one half to be paid on or before the first Wednesday of June next, when a deed of the same is to be given, and the other half to be paid in one year afterward.

Your Committee have lately received from Rufus Putnam Esq[r] a letter on the subject of the eastern boundary of this Commonwealth, which they apprehend contains matter that merits the attention of the Legislature which is herewith presented.

Sam[l] Phillips jun[r]
Nath[l] Wells } Comm[e]
Nathan Dane

In Senate March 8, 1785
Read & sent down,
S Adams Presid[t]

Commonwealth of Massachusetts
In the House of Representatives March 14 1785
On the Petition of William McCobb Esq[r] Order'd that the

Petitioner serve Thomas McGuyer with an attested Copy of his said Petition and this Order thereon fifteen Days before the second Tuesday of the next Session of the General Court to the End he may shew Cause on the same Tuesday if any he have why the Prayer of the said Petition should not be granted

Sent up for concurrence

Sam A Otis Spk^r^

In Senate March 17^th^ 1785

Read and Concurred

S Adams Presid^t^

Declaration of Thos. Boyd Jr.

I Thomas Boyd jun^r^ of Lawful Age do testify and Say, That Sum time in the year of our Lord 1781 I was in company With Tho^s^ McGuyer and the Hon. Timothy Langdon Esq^r^ at which time the said McGuyer was adviseing with the said Langdon Respecting a matter between him his Father & Eben^r^ Fullerton against Justice Will^m^ McCobb. of Boothbay about altering certain notes that as I understood was Given by the said McGuyers & Foolerton for cost of their being committed to Goal & taken out (or admitt by advice of certain leading men of the County to come out.) for their being suspected to be persons Enemical to the United States of America; After M^r^ Langdon had inquired into the matter and Examined the Said McGuyers papers, he advis^d^ the said McGuyer, for one of them to bring an Action first against Justice McCobb, and the other two wou^d^ be allow^d^ Evidences & if that one recover^d^ the other might bring his action at the next Court & the third at a third Court, & Stil their wou^d^ be two for Evidences; but M^r^ Langdon said if they recovered on the first action, the other two Justice McCobb wou^d^ Settle as they ware all cimelar — Afterwards I heard the McGuyers

and fullerton agree for Thos to bring his Action first and old Mr Patrick McGuyer told me they were all to bare an Equal proportion of the Cost — And I very well remember that I was at pownalborough Court (I think the first tuesday of Septr the same year) when the cases of Thos McGuyer vs Sd McCobb came to a hearing & Justice McCobb I understood recoverd Cost & McGuyer appeald to the Supreme Judicial Court: however in the mean time at Said Court patrick McGuyer told me that he & Fullerton attended Court there at their own Expence and that they had Feed a Lawyer. I think he mentioned Collr Taylor & that he gave two Dollars out of his own pocket to pleed the caus for Thos McGuyer. Sum time afterwards I hapnd to be in company with the two McGuyers & they both requested of me to try to get Justice McCobb to leve the matter to Arbitration for they did not want to go to the Supreme judicial Court with it, (or to that Affect) and agreable to the sd Request I took an opportunity & talkd with Justice McCobb about the matter, the said McCobb said he woud consider about it, until another oppertunity and afterwards he told me he woud concent to leve the matter to arbitration — And afterwards, a few days, I hapned to be in company with the two McGuyers & Fullerton & told them that Justice McCobb had consented to leve the matter to Arbitration, they three then went by themselves and had a long conference in private — a fue days afterwards I saw patrick McGuyer who then told me he had been to Mr Langdon advisery about the Matter, and Shewed me a Letter Signd by the sd Langdon, directed to Thos McGuyer adviseing him by no means to sign joint Bond with his Father and Fullerton or it woud distroy their Evidance (as I understood being Evidances for one another) but Each to give and take Seprate Bonds — soon after a time and place was appointed for the parties to meet to come under Bonds, and agreable thereto the parties met, I hapned to be present, and the

McGuyers & Fullerton Sign^{d} Seprate Bonds to Justice McCobb & he to them to leve the matter to the determination of John Stinson Esq^{r} Nath^{l} Thwing Esq^{r} & Deacon Edw^{d} Young and after the signing and delivery of those Bonds I heard Justice McCobb ask Tho^{s} McGuyer whether he was amind to have Lawyers to pleed befor the arbitrators for he wanted them to know that he might prepare himself accordingly — I heard Tho^{s} McGuyer ask his Father what whas best, and the old Gentleman advis^{d} to have none, and finaly it was agreed upon by the parties to have no attorneys to pleed before the Arbitration but each party pleed for themselves —

When the Arbitrators met to decide the matter I was call^{d} upon as an Evidence and heard the whole trial — and Justice Langdon appear'd as an attorney for the McGuyers & Fullerton to pleed their caus, before the Arbitrators, Justice McCobb objected against it, mentioning the agreement that no attorneys was to pleed on Either side, and that he was no weis prepar^{d} to the contrary of that agreement — Justice Langdon notwithstanding insisted on pleading the caus of the McGuyers side let the consequence be what it wou'd for he said he had a right to pleed before any Court whatever. Then Justice McCobb moov^{d} for a continuance until he cou^{d} Send for an Attorney to pleed on his side so as to have an Equal chance with the advance party — which continuance was Granted, & Justice McCobb Sent for me, and the Messenger next day return^{d} & brought intelegence that the gen^{t} he sent for was Engag^{d} & cou^{d} not come — after which Justice McCobb concented to let the matter come to a hearing notwithstanding their having the advantage of a Lawyer & he none — I well remember upon trial of the caus that Justice McCobb had one Cap^{n} Ichabod Pinkham there as an Evidence in the caus and the Arbitrators refus^{d} to admit him to give Evidance for no other reason as I understood than that he

was one of the first Complainers against the s[d] McGuyers & Fullerton for their being Enemical against the States & that they Suppos[d] he receiv[d] part of the money the s[d] McGuyers & Fullerton paied on that Account And I heard Justice Langdon Say after the award was given in that he call[d] himself a very good hand to make up a bill of cost (or words to that affect) and that the arbitrators had allow[d] his cliants all their demands Excepting a few shillings — I well remember that patrick McGuyer & Ebenezer Fullerton was allow[d] Evidences before the Arbitrators in the caus of Tho[s] McGuyer against Justice McCobb — and further saith not —

Tho[s] Boyd jun[r]

Lincoln Ss June 21[st] 1784

Then the above named Thomas Boyd personally appeared and made Oath to the truth of the foregoing Declaration by him subscribed before me

Will[m] Lithgow J. Peace —

Comonwealth of Massachusetts

In the House of Representatives March 14, 1785

On the Petition of William McCobb Esq[r] orderd that the Petitioner serve Thomas McGuyer with an attested Copy of his said Petition and this Order thereon fifteen Days before the second Tuesday of the next Session of the General Court to the End he may shew Cause on the same tuesday if any he have why the Prayer of the said Petition should not be granted

Sent up for concurrence

Sam A Otis Spk[r]

In Senate March 17[th] 1785

Read and Concurred

S Adams Presid[t]

Commonwealth of Massachusetts

In the House of Representatives June 11, 1785.

On the Petition of William McCobb Esq^r Ordered that the Petitioner serve Ebenezer Fullerton with an attested Copy of his said Petition and this Order thereon Twenty Days before the second Tuesday of the next Sitting of the General Court, that he may then shew Cause (if any he has) why the Prayer of said Petition should not be granted. —

Sent up for concurrence

Nath^l Gorham Speaker

Testimony of Andrew Wall.

Andrew Wall of Lawfull Age, Testifies, that in February in the year A. D. 1780 that he was Summon^d as an Evidence Respecting an examination or trial before Justice McCobb of Boothbay of Ebenezer Fullerton, Patrick McGuier and Tho^s McGuier all of Boothbay, which three parsons were complained against to s^d Justice of their Corrasponding with the Enemies of America at Begeduce & elsewhare, when the above three persons were Conven^d before Said Justice they were Required by the Justice to take the Oath of Fidility or Alleigance to the State of Massachusetts, but they all Refus^d taking said Oath, and after the matter being debated betwen them and ^ye Justice for about the Space of three Hours Fullerton & the two McGuiers went to Bed, next morning the Justice finding them obstinate in not taking Said oath, Said Justice Sent them all three to Goal, I being one of the Guard to Convey them to the said Goal and on our way thither and as Justice McCobb was not far behind who followed us to Wilscasset Point, I persuaded one of the McGuiers to take y^e above oath who answar^d he wo'd be Dam^d if ever he wou'd take said oath, when we got to the goal Fuller-

ton and the two mcGuiers plead with the offier who had them in Custody not to put them in goal, and that thay wou'd take the oath next morning & go hom togather, next morning they went to Esq^{r} Bowmans to have the oath administr^{d} to them but he declin'd their Request and told them it was most proper for Justice McCobb to admitt them to their oaths, upon which they desired Esq^{r} Bowman to write a few lines to Justice McCobb desiring him to Com and administer the oath to them and that they wou'd be willing to pay all the Cost that had hitherto arisen, — Sometime after I think about a day or two, I was Requested at Booth Bay by Justice McCobb to call the Committee of Safeity to gather to see if said Commitee would Consent that Justice McCobb Should Release the three prisoners viz^{t} Ebenezer Fullerton, Patterick McGuier & Thomas McGuier

afterwards I was present at an arbitration on a dispute betwen Justice McCobb & Tho^{s} McGuier, and that Ebenezer Fullerton was admitted to give evidence for Tho^{s} McGuier, and farther Saith not. —

Andrew his X mark Wall

Lincoln Ss June 21st 1784

then personally appeared the within named Andrew Wall and made Oath to the Truth of the within Declaration by him subscribed before me

Will^{m} Lithgow J Peace

Bill for Limiting Personal Actions to the County wherein One of the Parties Dwell.

Commonwealth of Massachusetts

In the Year of Our Lord one thousand seven hundred and eightyfive.

An Act for limiting the institution of personal Actions to the County wherein one of the parties dwell —

Whereas some of the inhabitants of this Commonwealth have been sued into distant & remote Counties where neither of the parties dwelt, whereby the costs have been greatly encreased: — for the prevention whereof —

Be it Enacted by the Senate & House of Representatives in General Court assembled, and by the authority of the same, that all personal Actions between party & party, shall be commenced & prosecuted in the County where the [a] plaintiff or the Defendant lives, & not in any other County; and any personal action that is or may be brought [b] in any County whereof neither of the parties [c] is an inhabitant [d] shall abate and the Defendant shall recover double costs of suit —

In Senate June 8, 1785 —

This Bill having had two several readings passed
Sent down for concurrence
S Phillips jr Presid[t]

In the House of Representatives June 21, 1785.
to be Engrossed
This Bill having had three several Readings passed a concurrence to be Engrossed as taken into a new draught
Sent up for concurrence
Nathaniel Gorham Spk[r]

In Senate July 1[st] 1785.

This Bill having had two several readings passed to be Engross'd as taken into new Draft
Sent down for concurrence
Sam[l] Phillips jun[r] Presid[t]

Re:selling Confiscated Estates in the County of Cumberland.

To the Hon[ble] Senate, & the Honorable House of Representatives of the Commonwealth of Massachusetts in General Court assembled June 1785.

May it please your Honors

We the Subscribers, a Committee for selling confiscated Estates in the County of Cumberland, having lately received a Resolve of the General Court, to make sale of the Estate of Francis Waldo Esq^{r} late of Falmouth in said County, an absentee — beg leave with all deference, to offer your Honors their Sentiments upon the Subject —

1. As, in obedience to said Resolve, they have considered it their duty to advertise the said Lands for Public Sale, they judge in the part of the State where money is extremely scarce, they will be sold for but a small part of their real value.

2.— We are informed, that Brig Waldo, whose Debts, by said Resolve, the said Treas Waldo's Estate is to pay one fifth part of — had near a thousand Acres of Land in this Town — and a large quantity in the County of Lincoln (not yet divided among his Heirs, which we think ought in the first place to be appropriated to pay his Debts, before any part of Francis Waldo's Estate is sold for that purpose — and

3. The said Francis Waldo as we are also informed, has also a large quantity of Land in the said County of Lincoln, which has not been confiscated and which we humbly think ought to be applied to the payment of the said Brigad Waldo's Debts, either in whole or in part — & that his whole share of Debts ought not to be paid out of the Lands confiscated in this County —

If your Honors should notwithstanding, adhere to said Resolve & order the said Land to be sold as therein directed we beg leave further to suggest to your Honors the expediency of instructing us to give some reasonable Credit for Payment — on good Security —

M^{r} Freeman waits upon your Honors with this Memorial and as the 4th day of July next is fixed upon by the Committee in conjunction with M^{r} Wetmore & his Wife Administrators

upon the Estate of the said Brig Waldo for the sale of said Lands we pray your Honors to order that he be immediately notified hereof — and such seasonable instructions given us in their Repport as your Honors, in your wisdom shall judge best

And as in duty bound will pray

John Lewis, Sam[l] Small

Falmouth May 27, 1785.

In Senate June 20[th] 1785 —

Order'd that the Petitioners aforesaid have leave to withdraw their Petition

Sam[l] Phillips jun[r] Presid[t]

In Senate June 21[st] 1785 Read, & the above order of Senate reconsidered, & thereupon order'd, that this Petition be committed to Theodore Sedgwick Esq[r] with such as the Hon[ble] House shall join

Sent down for concurrence

Sam[l] Phillips j[r] Presid[t]

In the House of Representatives June 24, 1785

Read & Concurred & M[r] Choate & M[r] Noyes are joined

Nath Gorham Speaker

Govr's Message.

Gentlemen of the Senate & Gentlemen of the House of Representatives

By a Letter I have received from M[r] James Avery Collector of Excise at Machias, dated 10[th] of May last, he informs me, that the Fort & Blockhouse at that place, were built on land belonging to M[r] Nathan Longfellow: & that said Longfellow had begun to pull down the Blockhouse but on his forbiding him, he desisted.— In July 1783 the

General Court passed some Resolves relative to that Fort, which afterwards were in part suspended. As M^r^ Avery wishes to be instructed on that head, you will please to let me know what instructions will be proper to be given him —

James Bowdoin

Council Chamber June 25^th^ 1785

Beauchamp & Leverett Resolve.

Commonwealth of Massachusetts

In the House of Representatives June 1785

The Committee appointed to confer with the Claiments under the grant to Beuchamp and Leverett, report by way of resolve.

Resolved that Rufus Putnam Esq^r^ with power of appointing a deputy and chairmen all of whom shall be sworn to the faithful discharge of their office, be and hereby is impowered and directed, to make an accurate survey of the Rivers Kennebeck and Penobscott and the sea Coasts adjacent,— taking the Distance between the said Rivers, at least in three places, the highest distance to be taken at the head of the Tide on Penobscott River, and keeping a Compleat field Book, of all Rivers, Streams, Bays, Ponds and mountains and other remarkable places within the said Limitt making all such Boundary marks as may be necessary and Lay the same as soon as may be before the Justices of the Supreme Judicial Court, who are here by impowered and Requested finally to determine in Law and equity the boundaries of the patent granted to Beauchamp and Leverett, and the said Justices of the said Supreme Judicial Court are hereby impower'd to cause Deeds of Quit claim and Division to be executed with the aforesaid Patentees, which final Determination Shall Bar any and all Demands of this Commonwealth & the said Patentees, their heirs and assigns each upon the other

Provided that the said Patentees shall be and hereby are held bound and Obliged to execute good and sufficient warrantee Deeds in fee simple of one hundred Acres to each and every settler who may fall within the aforesaid Patents not possessing legal titles, each Letter paying or securing to said Patentees the Value of the said hundred Acre Lotts respectively, which Lotts are to be estimated according to the Value of the Land when they severally took possession thereof —

Commonwealth of Massachusetts

In Senate March 15th 1785.

Whereas it is highly expedient that the Limits of the Grant made by the Council of Plymouth in the year 1629 to Beauchamp and Leverett Should be so ascertained, as to avoid all future Litigation, or doubt, respecting the same — And whereas from a thorough enquiry into the nature and extent thereof, it appears to be eligible for this Commonwealth to Confirm to those Deriving title from the said Grant a Tract of Land equal to a tract thirty Miles Square with the Islands contiguous, and that in such form as to give validity to the past doing of those deriving title as aforesaid, and with Due attention to Individuals who may have made settlements on Lands by themselves supposed not to be included within the aforesaid Grant, upon such Terms and Conditions as are Conservant to the great Principals of Mutual Right and equity — Be it therefore

Resolved that the Legislature will and do hereby Confirm to those interested in and Deserving Title from the aforesaid Grant — The following tract of Land (to wit)

Beginning at a Point of Land called Rumsons Point being East of the mouth of the River Muscongus and Extending up the said River according to its General course into the Country as near as may be until it intersects a Line fifteen Miles East of Kennebeck Thence Extending northwardly in

a line fifteen Miles Distant from the said River Kennebeck until it intersects the West line from Penobscot River hereafter mentioned — Then begining at the aforesaid Rumsons Point and from thence Runing along the Sea Coast and by the bay of Penobscot to the mouth of the River Penobscot and from thence Extending up the said River to a Stream called Hathorne Mill Stream from thence Extending a due north Course one hundred and five Chains and Twenty six Links, and from thence a West Line to be Drawn to the Line fifteen miles east of Kennebeck — The same west Line being the northern boundary of a Tract of Land assigned to William Vossel Richard Leachmore and others named in a Deed indorsed and made May 31, 1773 Between Francis Waldo Thomas Flucher and Hannah his Wife, and Isaac Winslow on the one part, and the said Vossel Leachmore and others therein named on the other part as by Referring to the same will fully appear — Together with any Island whose center falls within Three Miles of any Part of the aforesaid thirty Miles Square

Provided the Premises aforesaid do not interfere with any former Grant.

All of which nevertheless is on the following Conditions, that those to whome this Confirmation is made shall pay to the Commonwealth the full Value of the surplus Quantity of Land if any there be which the aforesaid Deposition upon survey thereof shall contain over a Tract equal to thirty miles square Exclusive of the Islands aforesaid [A] Within Eighteen months from the Passing this Resolve and the Interest for the same from the Time the value of the said Surplus Land shall be Determined untill paid and shall Submit to such Terms of Settlement of the said Surplus Land as the committee appointed for the sale of unappropriated Lands in the County of Lincoln may think Just and Equitable, and in order to avoid any Dispute about the part

of the aforesaid Land on which the estimate of the said Surplus Land Shall be made and Determining the Value thereof Be it Resolved that so much of the north part of the afore Described Land Extending in Equal Widths from the River Penobscot to the Line fifteen miles east of Kennebeck as the said surplus shall amount to — and the said Surplus land to be paid for at its Value which Value is to be Determined by comparing the Situation and Quality of the said Lands with the Situation and Quality of other Lands in the county of Lincoln which are or may be sold in behalf of the Commonwealth, and the value of the said surplus Land to be Determined by the Committee appointed to Sell Lands in the said County of Lincoln or the Major Part of them, in manner, and by the Rules aforesaid [B] and that all Persons now in Possession of Lands which may happen to fall within the said surplus by actual improvement made thereon, and who had such Possession before the first Day of January 1784 and not by Lawful Deed claiming or holding such Possessions under those Interested in and Deriving Title from the aforesaid Grant, shall have such [A] Quantity; [A] thereof conveyed to them by those to whom this confirmation is made and on such Terms as the Legislature shall within One year from the Passing of this Resolve Determine [D] And that those to whom this Confirmation shall enure shall make and Execute a Release and Quit Claim of all other lands (except those contained in the Discription aforesaid) to whom they Claim Title to from the aforesaid Grant to Beauchamp and Leverett, and Lodge the Same in the Secretary's office within three months after the Survey of the aforesaid Land shall be Compleated — Provided allways that if any of those by whom it is Requisite by this Resolve that the said Release or any convayance shall be made are under any Legal Incapacities the Time for Executing the same or their parts shall be Extended untill three

months after such Incapacities are Removed and no Longer, and that No Right or Rights which may have escheated to this Commonwealth be included in the said Confirmation —

Sent down for concurrence

S Adams Sec^{y}

In Senate March 17,1785.

Read again & thereupon Ordered that the foregoing Resolves pass with the following amendments, viz:

At A dele "thereof" & insert — of the said surplus lands.

Sent down for concurrence

S Adams Presid^{t}

At A insert and that the whole quantity of land contained within the aforesaid description upon actual survey thereof shall not exceed 100,000 acres over a tract equal to thirty miles square —

At B insert and as those to whom this confirmation is to enure are desireous of haveing provision herein made for the security of individuals that are in possession of lands within the description aforesaid upon terms of mutual equity it is further conditioned

At D insert and that all persons having such possession of lands within the thirty miles square shall each have 100 acres thereof conveyed to them by those to whom this confirmation shall enure at the original value thereof before any such improvements were made thereon upon application made for such conveyance within eighteen months from the passing of this resolve which value in all instances where the parties cannot agree shall be ascertained in the following manner to wit one person appointed on the part of the purchaser one on the part of those to whom this confirmation shall enure and one by the committee for the sale of unappropriated lands in the County of Lincoln the judgement of any two of whom to be binding

Amendments proposed by y^e^ Com of y^e^ House in the Resolve of Senate of 19 March 1785 May Session 1785

"Beginning at the point of Land east of the mouth of the river Muscongus, or Medumuc, thence extending up the said river according to the general course thereof into the Country thirty miles — then running from the aforesaid point of Land along the seacoast, and by the bay of Penobscot, to the mouth of the river Penobscot, and thence extending up the said river, Penobscot, untill right line drawn from it, to the extreme northerly part of the Muscongus line first mentioned shall give & complete a tract of Land, equal to a tract of Land of thirty miles square, together with all Islands whose center falls within three miles of any part of the lands before described—" not agreed to

Action on petition Administrators Waldo Estate.

Commonwealth of Massachusetts

In Senate June 28^th^ 1785

Whereas by a Resolve on the petition of William Wetmore & Sarah Wetmore Adm^rs^ on the Estate of the late Brigadier Waldo deceas'^d^ "The estate confiscated in the County of Cumberland as the estate of Francis Waldo Esq. or such part thereof as was unsold on the same ninth day of Feb^y^ is held and applied to the payment of the said Francis proportion, being one fifth part of such legal debts & demands against the late Brigadier Waldo Esq^r^ on the same day According to law remained unsatisfied; & whereas in justice & equity the said confiscated estate ought not to pay but apart (if any) of the said Francis Waldo's proportion of the debts & demands aforesaid. Therefore

Resolved. That the said Resolve on the petition of the said William & Sally Admrs. as aforesaid be, and it hereby is repealed, and made null & void to all intents and purposes whatever.

Sent down for concurrence

Sam[l] Phillips j[r] — Presid[t]

Waldo Claim.

The committee who were directed to confer with the claimants under the Patent of Beauchamp & Leverett, upon the subject of laying out a tract of land equall to a tract of land thirty miles square have attended that service & report, that the bounds of said land begin at the point of land east of the mouth of the river Muscongus, or Medomick & thence extending up said river according to the general course thereof to the Medomick falls, & thence by a due north line till it shall intersect the easterly line of the plymouth patent, unless previously to such intersection it shall have ascended so far as that by turning it a due east course it shall leave a tract of land between the first mentioned line beginning at y[e] mouth of y[e] river Muscongus or Medomick, as aforesaid, on the west — the seacoast on the south, & the Bay or river of Penobscot on the east, equal to a tract of land of thirty miles square — But if said line, ascending from the Medomick falls, shall intersect the easterly line of the plymouth patent, before a due east line as aforesaid shall describe a tract of land equal to a tract of thirty miles square, then to ascend by the said easterly line of the plymouth patent till a line drawn due east shall contain a tract of land equall to a tract of thirty miles square within the bounds as aforesaid.

July 1, 1785 Not accepted.

Petition of Francis Shirtleff and testimony in case.

To the Hon^ble the Senate & House of Representatives In General Court Assembled

The Petition of Francis Shurtleff in Behalf of The Town of Plymton in the County of Plymouth Most humbly Sheweth, that Said Town was Served By one Isaiah Cushman of North Yarmouth & summon^d to appear at Falmouth: in the County of Cumberland which they Did in october Last but By Reson of the Indispersion of Sume of the Judges of the Court The Action Could Not be Tryed & the Said Court was Agorned To the Fourth Tuesday of may Last & the Said action Continued to be Tried at the Agornment of the Said Court the Town of Plymton Imployed an Atturney to appear For them on may Last at said Court And Carry on ther Case but they ware So unfortunate that their atturney Did not attend Said Court by Reson of his being Sick as we are since Informed By which Reson your Petitioners ware Defalted there Being No Body to appear For them in a Case which they think Verry unjust they Therefore Pray that your honours would Take their Case into their wise Consideration & Grant that they may have a Rehearing In such a way & manner as your honours shall Think Fit & that Execusion Shall be staid in same Time — which your Petisioners as in Duty Bound Shall Ever Pray

Francis Shurtleff

July 1, 1785.

To Whom it may concern this may certify that M^r Kimball Prince of Kingstown was at the House of the subscriber this morning the Subsciriber Heard Said M^r Prince Tell Cap^t Shurtlief that when he was at the house of Isaiah Cushman said Cushman shewed to him a Notification to appear before

the Great & General Court to shew cause if any he had why there should not be a Rehearing of the case betwene him & the Town of Plumton, that the said Prince said he told him he intended to Appear —

attest Samuel Foster

Boston 27th October 1785.

At a Town meeting held at Plymton June y^e^ 18^th^ 1785 at s^d^ meeting the Town Voted and Chose Cap^t^ Frances Shurtliff an Ageant to Petition the grate and General Court for a Rehearing of a Case in Law with Isaiah Cushman of North yarmouth

A True Cope a Test

Jyrhemiah Perkins Town Clerk

Plymton June y^e^ 20^th^ 1785

Newburyport June 8 1785

Sir

I sat out on my Journey to attend Falmouth Court to be held ye 4^th^ Tuesday of May by adjournment, but was taken sick at Wells and obliged to return — I wrote to M^r^ Frothingham the Bearer of this respecting the Action of Cushman against the Inhabitants of Plympton in particular and requested him in behalf of said Inhabitants for whom I was engaged to get it continued on account of my inability to attend on their behalf or if he could not, to carry it up by demurrer, but I am this moment informed by him that the Court would not continue it, and the Ptt^s^ Council would not consent to a demurrer; & therefore he supposed the Inhabitants to be defaulted without defence & did not appeal — I am surprised he did not plead to issue & appeal. But as the matter is circumstanced, There cant be a doubt, but upon your immediately petitioning the General Court, they will order the Execution to stay, and the default to be taken off

and the Inhabitants to be admitted to make defence next Terme.— I would advise you to do it without delay while the Bearer M^r^ Frothingham is in town who can move the facts necessary to support the Petition —

I would have drawn one for you but he is in hast & cannot stay.

It is very unfortunate for you, & had I failed you on any other account than sickness I should have been very uneasy about it; & I cannot but think it very hard as a town was concerned & their Council sick that neither a Continuance nor Demurrer could be obtained — but the action defaulted — especially where there was such good ground for defending the action —

I am Sir Your very hum^bl^ Serv^t^

Theop Bradbury

M^r^ Francis Shurtliff

Petition of Inhabitants of Majorbigwaduce.

Commonwealth of Massachusetts

To the honorable the Senate of said Commonwealth —

The Inhabitants of Majorbigwaduce humbly shews

That the Bill for their Incorporation into a Township by the name of Penobscot, now laying before your Honors, was brought before the Legislature by the express Permission of the two Houses in Consequence of the Report of the respectable Committee appointed by the Government for the Sale of Eastern Lands &c & which Report was founded on the Petition of a very large Majority of the said Inhabitants, praying for Aid & Relief in their unfortunate Circumstances; Your Petitioners would beg leave humbly to suggest to your Honors that there are One hundred & thirty Families & upwards settled within the Limits mentioned in the Bill who for several Years during the late War laboured under various

Distresses & Difficulties from being under the Controul & within the Power of the British Troops; That since the Peace they have been exceedingly desirous of being the liege subjects & useful Citizens of this Commonwealth, to discharge the Duties, pay the Taxes & enjoy the Rights common to the other Inhabitants of the State, & for these interesting & substantial Ends, they have sollicited for the Privileges annexed to a Corporation, which being an Incorporeal Hereditament can in no wise determine the Right of Sail to belong to your Petitioners, who are ready to treat with the Government for whatever Estate they possess in the whole of said Lands as soon as the State Agents shall think proper to make an Offer to the Individuals who compose the Plantation on the Subject, but as the Purchase of the Soil is to be individually made, the Town would have nothing to do with it as a Corporation & consequently the Bill which we humbly pray your Honors Assent to could in no wise affect the Bargain; Your Petitioners are Citizens of the Commonwealth & compose a larger number of Inhabitants than many Towns in the State, they pray to become useful by being incorporated & to feel themselves members of the Government by enjoying the Privileges common to its other subjects.

For & in behalf of said Inhabitants

Joseph Hibbert, W^m^ Tudor } Their Agents & Attorneys

Boston 1^st^ July 1785.

Account of Light Money Received between the 18^th^ day of March to the 31^st^ of July 1785 at the Port of Passamaquody amount £1 .. 6 .. 6

Errors Excepted

Lew^s^ Fred^k^ Delesderniers Naval Officer

Sworn to before me

Ja^s^ Avery

Port of Passamaquody August 27^th^ 1785.

Port of Passamaquody Aug 29th 1785

Honble Sir

I have the Honour to Inclose an Acct of all the Light Money received at this office, Also the Bond I am to Give in Consequence of my Appointment to the Naval Office, which coud not before be Transmited, there being no Majestrait in this District. Esqr Avery being at this Juncture here I Compleated the matter as pr his Certificate herewith —

The Amt of Light Money I Remit pr Captn McGuire thro the Hands of the Honbl Caleb Davis Esqr you will be pleased when Received to Grant the necessary Acquaintances.

I have the Honour to be with all Respect Sir, Your verry Humble servant

Lews Fredk Delesdernier

The Govr's Speech to the Genl Court Octr 20, 1785.

Gentlemen of the Senate and Gentlemen of the House of Representatives —

Before I offer any new business for your consideration, it is proper you should be informed what has been done in regard to divers matters, which have already been the subjects of your Acts and Resolutions. Accordingly I should inform you: That another Commissioner is authorized to settle accounts between the United States and this Commonwealth, and will probably be here in a few days to enter upon the duties of his office.— It may be expected therefore that that business will be brought to an issue as soon as it can be: and this expectation is supported by a letter from the Secretary of Congress, who writes me, that from the progress made in settling the accounts between the United States and individual States, —..—..—| and private creditors within the same, and from the measures taken to hasten and facilitate the progress of such settlement, there is reason to hope,

the great work will soon be compleated. With regard to the line of jurisdiction between this Commonwealth, and the State of New York, so far as it respects the Eastern boundary of the latter, our Delegates, to whom, as well as to Governor Clinton, I sent an authenticated copy of the Act of the General Court, empowering Commissioners to settle that line, write me, that the Delegates of the two States had met on that business, but had not then been able to agree on suitable persons as Commissioners, which makes it probable, that Congress will have the appointment of the Commissioners, pursuant to the mutual Acts of the two States, without any such previous agreement.

With respect to the conduct of New York relative to the Western Territory claimed by this State, I wrote, agreeably to your request, to Governor Clinton, and to our Delegates concerning it. A conference between them was had upon the subject. The substance of it you will find represented in a letter from our Delegates: in agreement with which Governor Clinton informs me, that according to the duties of his office he shall not fail to lay my letter and the concurrent resolutions of the Senate and Assembly before the Legislature of New York at their next meeting; and that the earliest opportunity will be embraced of communicating whatever they may direct on the subject.

In compliance with your request Gentlemen, expressed in several resolutions the last session. I transmitted to the several States in the Union a copy of the Act you then passed for regulating navigation and commerce. It was accomplished with a circular letter of mine to the Governor of those States respectively: in which letter among other things, it is represented, that it is much to be desired that Congress may be vested with a well guarded power to regulate the trade of the United States: which being effected our Act will cease to

operate; that in the mean time we have a full confidence, that the mutual friendship of the several States towards each other, and their sentiments of honor and justice will be a sufficient pledge, that when measures wisely calculated to defeat the unjust designs of any foreign power against the trade or general interest, of the United States, are taken by any individual State, they will be adopted by all: so that no one State may be left to suffer essentially in its own trade by its laudable zeal and exertions for the common safety. To this letter the Governors of several States have replied that they will lay it before their respective Legislatures at their next meeting. With respect to the Legislature of the State of New Hampshire, I have the pleasure to inform you, that with a generosity and magnanimity becoming one of the United States, and which I am persuaded the rest will not be backward to manifest, they early passed an Act correspondent to ours for regulating navigation and commerce. Such correspondent Acts adopted by all the States would be productive of happy effects, until Congress should ordain regulations for the general Commerce of the confederated body.

In regard to the enlargement of the powers of Congress, I signed and forwarded to our Delegates, agreeably to your request, the several letters you had prepared on that subject. They viewed it, and justly, as being of great consequence; and wishing their sentiments on it might be known to their Constituents, they have, from a sense of the duty they owe them, delayed taking any measures concerning it, untill they shall receive your further instructions. The reasons of the delay their letters of the 18th of August and 3d of September will inform you.— This being a matter of great importance will require your attentive consideration.

There are divers other things, that have been the subject of the Acts and Resolutions of the General Court, and the State of them will be communicated to you by message.

I shall now lay before you several matters, which you will probably think require your immediate attention.

By a letter I have received from M^r^ Secretary Thomson of the 24^th^ of August, it appears, that it is become necessary & essential to the harmony of the Union, that Congress should be furnished with the means of settling the proportion, to be born by each State, of the General expences, that have been, or may be, incurred for the common defence and general welfare. And I am requested to bring this subject again under the view of the Legislature of this State, and earnestly to recommend to them, as they have adopted the new rule of appointment, to take speedy and effectual measures for numbering the inhabitants of this State, and make a return thereof to Congress. As by that letter it seems probable that the new rule will be adopted by all the States, I do, in compliance with the request, earnestly recommend to you, Gentlemen, to take speedy & effectual measures for the said purpose. On a former requisition of Congress an Act was passed the last year upon the principles of the rule mentioned in the eighth article of the consideration: by which Act, the number of the inhabitants in the Commonwealth, was ordered to be taken pursuant to that requisition and returned by a certain day into the Secretary's Office. Accordingly a great number of towns, but not the whole, have made return. Perhaps the carrying the Act into full execution relative to the number of our Inhabitants, will answer the intention of the new requisition.

With the said letter were enclosed several resolutions of Congress, and particularly one of April 18^th^ 1783, to which a further attention is intimated to be necessary, for the purpose of establishing permanent and adequate funds, which shall operate generally, & in just proportion towards doing compleat justice to the public creditors, and for restoring

public credit: and it is observed in the letter, that every day's delay increases the embarrassments of the union.

By a resolution of Congress of the 27th of September you will observe Gentlemen, that for the service of the present year, and for the payment of one year's interest on the foreign & domestic debt, and other purposes, it will be necessary, that three million dollars, in addition to six hundred forty nine thousand eight hundred and eighty dollars, be paid into the common treasury on or before the first day of May next. These two sums are the whole amount of the present years estimate: from which the latter sum is deducted by reason that so much of the Dutch loan was applied towards a discharge of the last years estimate, and which the sums required from the States last year will replace: a compliance with that requisition being relied on by Congress to discharge, or make good, the said deduction. Our quota of the three millions is set at four hundred forty eight thousand eight hundred and fifty four dollars: for the seasonable payment of which, it is incumbent on you, Gentlemen to make the necessary provision.

As a motive for the chearful payment of the sum now called for, as well as of past arrearages, the States are reminded, that Congress have passed an ordinance for the survey & sale of the western territory of the United States; and that the proceeds thereof will be applied as a sinking fund to extinguish the domestic debt. Future requisitions for interest on the domestic debt, will therefore be reduced in proportion as this fund may be rendered productive.

Your attention Gentlemen is also called to the state of our own particular debt, and to ways and means of discharging it. The total amount of it by the Treasurer's account is one million four hundred sixty eight thousand five hundred fifty four pounds seven shillings and five pence, and the annual

interest of it is eighty eight thousand one hundred and twelve pounds thirteen shillings and three pence. The means of discharging the debt are, the product of the Impost and Excise, which from June 1784 to June 1785 was fifty seven thousand three hundred and fifty three pounds thirteen shillings and eight pence; and the one per Cent on the business of Auctioneers, which for the same time was eleven hundred seventy three pounds eleven shillings & six pence. These products, with that of the New Impost and Excise, may be estimated equal to the interest of the debt; in which case whatever sum you think proper should be annually raised by tax, or in any other way, will, after deducting the common charges of Government, discharge so much of the principal of it. By my direction the Treasurer has found a plan and calculation for the gradual payment of the whole debt. According to that plan an annual Tax of one hundred thousand pounds with the aforesaid revenue, as above stated, will cancel the whole debt, both Interest and principal, in fifteen years; and at the same time pay the ordinary charges of Government.— Such a tax, with the annual requisitions of Congress for our proportion of the national debt, will not be distressing to the State: especially as in the future requisitions there probably will be provided certain facilities of payment, in like manner, as there are in the present requisition.

Punctuality in the payment of Taxes is so essential to public credit, that the existence of the latter depends upon it. To insure it, I would recommend to your consideration whether in future Tax-Acts it should not be provided that in every town on each person's tax, not paid by a given day, interest should be required from that day to the time of payment. This requisition would be a stimulus to punctuality, which would be further excited by an allowance of five per Cent. for prompt payment. Such a charge of interest is due to the Commonwealth at large, and justice demands it, with

regard to those towns & individuals, who have been, and are, punctual in paying their Taxes.

There is a large sum now due for past Taxes, the greater part of which is appropriated for the redemption of new Emission bills, and of State Notes payable in 1784. When these taxes are all paid, there will remain, after making an allowance for those appropriations, a considerable balance, perhaps about eighty thousand pounds, subject to your appropriation. The honour and faith of the Government being plighted for that redemption, the reminding you of it, I am persuaded, will procure effectual measures to be taken for the payment of those Taxes.

On the present year are laid several Taxes, amounting to a large sum. They are appropriated for the payment of such a part of the consolidated notes as becomes due the present year; and for the redemption of the remaining army Notes including such of them as will be payable the next year.

These several notes exclusive of the Interest due on them amount in the whole to two hundred seventeen thousand two hundred and fifty eight pounds thirteen shillings and six pence, and are included in the total aggregate of debt above mentioned.

If you should think this sum, with the present requisition of Congress, too large to be raised the present year, and the Taxes laid on the several succeeding years for redeeming the other consolidated Notes, too large for those years, especially when connected with the annual requisition of Congress, you may possibly think it needful to take a minute view of the State of our whole debt, and the taxes now laid on the present and future years for canceling it, and adopt the above mentioned, or some other, plan for that purpose. But in that case, Gentlemen, I imagine you will think it necessary, in order to maintain the plighted faith of the Government, to procure the consent of the Government creditors, previous to the

adoption of such a plan. I cannot apprehend there will be any difficulty in obtaining their consent, as the provision, made by the Acts of Impost and Excise, will, probably be sufficient to enable the Treasurer to pay the annual interest of the debt punctually at the time it shall become due, untill the whole debt be extinguished.

In considering the means of cancelling the public debt, it will occur to you, that the unappropriated lands belonging to the State may be applied to that purpose: but as the sale of them, the time and manner of payment, and the productiveness of the sale, must be very uncertain, they should not, in my idea of the plan, be considered as one of the means, on which the executing of it should depend. If the sale however, should be productive, the product may be applied, from time to time, towards the lessening of the debt, and hastening the discharge of it. Such a plan well laid, and punctually executed, would, not only extricate us from the embarrassments of a heavy debt, but restore the public credit: on which the honour and welfare of the Commonwealth so essentially depend.

A much speedier method, than the one above proposed, for annihilating the public debt, would be to permit the present tax laws to operate. In which case, the whole debt, both interest and principal, might be paid in three years, or by the end of the year 1788: beyond which no taxes are laid. But of the practicability of it, you are not only the constitutional, but in fact the best judges.

The state of the Militia, which is the Constitutional and the safest defence of the Commonwealth, merits your consideration.

In the several Brigades the Regiments are in a considerable degree destitute of Officers, occasioned by the resignation of their Commissions. Many of them by virtue of their Commissions having obtained rank, and an exemption from

the common Militia duty, have very early, for reasons without doubt satisfactory to themselves, resigned their Commissions: and this practice will probably be continued unless some effectual measures be taken to prevent it. As the Militia-Act needs some amendments, a clause in a Supplementary Act, making the rank and privileges of Officers as such, depend on their holding, for a given time & with reputation, their respective Commissions, might go far to remedy the evil: which unhappily has been so long prevalent.

You will also please to recollect, that each of the four divisions of the Militia is to have a Major General, whom the Act makes a very essential Officer to the well ordering of the militia. As there are but three Major Generals commissioned and two of them in the same division, you will think it needful to elect a fourth, and assign to each of the other his respective division. Permit me to urge a speedy attention to this business.

There is another matter, Gentlemen, essentially important to the well-being of the Commonwealth, which claims your most serious attention; and which, by the unanimous advice of the Council, I now lay before you. It refers to a design against the Commonwealth, of very evil tendency, being calculated for the purpose of effecting the dismemberment of it. That design has been for some months evident by a great number of publications in the Falmouth Gazette: calling upon the people of the Counties of York, Cumberland & Lincoln to assemble together for the purpose of separating themselves from the Government of this Commonwealth; and of withdrawing from the duty and allegiance they owe to it. In consequence of those calls about thirty persons, as I am informed, assembled on the fifth instant at the Meetinghouse in Falmouth, and voted to choose a Committee to draught a circular Letter to the several Towns and plantations in those three Counties, requesting them to meet in Convention, by

their Delegates on the first Wednesday of January next, to consider the expediency of the said Counties being formed into a separate State.

The duty I owe to the Commonwealth in general, and to the people of those Counties in particular, in dispensibly obliges me to lay this matter before you, that you may take such measures concerning it as your regard for the collective body of the Commonwealth shall dictate.

What I have further to communicate to you Gentlemen, will be by way of message. The Letters and papers referring to the communications now made, will be delivered to you by the Secretary.

James Bowdoin

Council Chamber October 20th 1785

In Senate Oct° 21st 1785

Read, together with the Papers that accompany this speech & committed to Benj Goodhue & John Lowell Esq^r^ with such as the Hon^ble^ House shall join

sent down for concurrence

Sam^l^ Phillips Presid^t^

In the House of Representatives Oct° 22^d^ 1785

Read and concurred & M^r^ Bourn M^r^ Thomas & Mr Robbins are joined

Nathaniel Gorham Speaker.

Action on Governor's Address.

May it please your Excellency

The two branches of the Legislature, met your Excellency at the time of the late adjournment, with a full confidence,

that during the recess (the first since your Excellency's administration of the executive department of Government,) a just attention had been paid to those important matters, which the Legislature had entrusted to your care, as well as those which naturally fell within the line of your duty,—their expectation has by no means been disappointed. —Your Excellency's speech, communicated to the Legislature, the measures that you had taken, to carry into effect the Acts & Resolutions of the General Court, in their preceeding session; and also, such other matters, as by the Resolutions of Congress, called for their attention: and after having given a concise view of the state of the finances of the Government,—suggested such measures, as appeared to you likely, to put them on a more respectable footing. These communications were made in a plain & intelligent manner, as became a republican Governor; and your Excellency will not expect a reply, in any terms but such, as become a free, independant & republican Legislature, whose duty it is, to watch over the conduct of the highest servants of the Commonwealth,—to testify their approbation of their conduct [1] without flattery when it merits it; as well as their disapprobation [2] without asperity when otherwise. [3] The critical situation of the common of America; & the peculiarly distressing state of it in this Commonwealth made it necessary, that some decisive & vigorous measures should be taken, to arrest it in its flight; and if possible, to bring to their senses those foreign Powers, who, without benefit to themselves, seem to be desirous of encreasing our embarrassments: [4] these measures will not have the full effect desired; unless our sister States [5] have similar ideas [6] to impress them suitably on that head, your Excellency's Letters appeared to be [7] verry well adapted; and state with strict propriety, the importance of a coincidence of measures, to be produced by a sense of common dificulty & mutual affection. [8] The effect produced by these Letters is strongly

marked in the answers from the Executives of the several States. [9] — The attention which your Excellency has paid to the finances of the Commonwealth; [10] and the knowledge of them, which you appear in so short a time to have attained [11] we cannot omit to recognize. It is by a knowledge of this business, & an investigation of the [12] resources [13] of the Commonwealth [14] to supply the necessary means of supporting the credit [15] and safety of the Government, that the greatest good may be derived to the Community: this knowledge, & this investigation, can be obtained & pursued, with so [16] much greater advantage, by [17] one person at the head of the Government, than in any other way,— that we still look to your Excellency to pursue the tract, with that patience, which you have hitherto exerted & hope, that still further advantageous ideas, on this subject, may be laid before the Legislature. [18] 19X The General Court went into an immediate consideration of the requisitions of Congress; but as the business of valuation has been in hand at this sitting, & not yet fully compleated: and as this [21] in our Government [22] was necessary to be settled before [20] a new & so important a tax [21] could be assigned on the people no decisive measures have yet taken on those requisitions; after a [22] very short recess, they will be seriously taken up, & we doubt not this State will still [23] be distinguished by [24] every measure which is calculated to promote the general union, & the credit of the United States.—

Your Excellency will find that such further measures as were deemed necessary, have been taken for numbering the inhabitants of the Commonwealth.

[25] The state of our own particular debt, lies with great weight on the minds of the Legislature: effectual measures to support its credit have been postponed for the same cause, which has occasioned the consideration of the Continental requisitions to be postponed. Some measures have been taken to enforce the payment of taxes, & to punish delinquents. [26]

The State of the Militia has been attended to by the Legislature, & a bill is now under their consideration [28] to render it respectable.

The Legislature strongly feel the danger & impropriety of individuals, or bodies of men, attempting to dismember the State: [29] it would be improper for them, to give a name to an offence, which, is doubtless of a very high nature, and which if necessary, must be judicially determined on. Further legislative Acts to prevent such attempts in future, appear to be necessary, & a Committee is chosen to bring in a bill for that purpose as confusion & every disorder must naturally follow, if such attempts are not timely defeated. [30] —

The union of the several branches of the Legislature, with the Supreme Executive, in all measures that concern the public wellfare, is at all times, a most desirable object; the exercise of the utmost constitutional freedom in deliberating on these measures, is the most probabal means, to produce that union, while the views of those concerned in the public departments are pointed to the good of the whole. The happy union which has subsisted between your Excellency & the Legislature gives us great satisfaction, as being founded on this basis, as we doubt not, your Excellency will continue in these views, we hesitate not, to assure you of every constitutional support of the Legislature.

In Senate Nov^{r} 29, 1785

Read & accepted as taken into a new draft —

Sent down for concurrence

Sam^{l} Phillips jun^{r} Presid^{t}

In the House of Representatives Dec^{r} 1, 1785

Read & concurred with amendment at A viz dele from A to B

Sent up for concurrence

Nath Gorham Speaker

In Senate Dec^{r} 1, 1785 Read & concurred.

Memorial of James Sullivan.

To the Honorable the Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled

The Memorial of James Sullivan Humbly shews, that in the year 1782 the Inhabitants of a plantation At the head of the township of New Bristol delivered him a petition which he now begs leave to prefer to your honors, instructed him to offer it to the then general Court, that he Either through forgetfulness, or for reason which he cannot now recollect omitted presenting it according to his engagement. by which the petitioners consider themselves as agrieved and request him now to offer it with the above state of facts hoping that it can be no less effectual now than it would have been at that time he is also requested to inform your honors that the petitioners would have purchased the Lands which they have Cultivated of the Committee who have the direction of such sales but have it not in their power to pay either money or public Securities for them, but now take leave to propose that a Conditional Grant may be made them in the following manner viz that the same Act which Grants them the soil may Incorporate them as a Town, and that the Grant be upon Condition that they within such time as your honors shall think fit by their Agents Lawfully appointed shall lodge in the Treasurers office their bond for such sum as the same Land Shall be Set at payable at such day as shall be directed. Your Memorialist only begs leave to add that when he considers the suffering of these people during the late War their most perfect inclination to yield obedience to the Laws, and the distress which must be consequent upon rejecting their Petition, he feels himself well assured that they will have all the attention which they can expect, and which good policy may at this time dictate

Boston Oct^{r} 24th 1785 James Sullivan

Petition of Inhabitants of Frenchman's Bay.

To the Honourable the General Court of the Common Wealth of Massachusetts —

Humbly shew the subscribers Inhabitants of a Tract Lying at the Head of the Township of New Bristol in the County of Lincoln and belonging to the Government that they have settled more than fifteen years ago upon the same Lands having then no doubt but that the Government would in Consideration of the adjacent Lands being made better by their Labours quiet them in their possessions and therefore humbly relying upon the Clemency of the Government they have expended much time and toil upon their new plantation but being as to Town Government in a state of nature, they find great difficulty in preserving from the hand of Rapine the fruit of their honest industry — that they have since the Commencement of the present war uniformly exerted themselves in defence of their Country and have within the last Summer put their Lives and property at hazzard and undergone all the hardship necessary incident to an invaded People in defending those Labours which can never be of advantage to them or their Families without your Honours attention to their Petition —

Wherefore they Most humbly pray that your honours would consent that a Township shall be laid out there, of twelve miles Square and make a grant thereof to your Petitioners for such Sum, or on Such Conditions, and with such reservations, as your honours shall think to be most condusive to the Public Good and should any part of the same be reserved to the State the Cultivation of the residue will Soon impress more value upon the part referred than the whole can in any other way be made worth and as we in Duty bound shall Ever pray

Dated att frenchmans Bay the 24 May 1781 —

Thomas Donnell, Abraham Preble Donnell,

John Springer,
Moses Butler,
David Hoopor,
Moses Butler, Junur,
Stephen Clark,
Judah West,
Daniel Scammons,
Nathaniel Hardison,
Benjamin Clark,
Moses Butler,
Nathaniel Butler,
Peter Butler,
Amos Gupteal

Commonwealth of Massachusetts
To the Hon[l] the Senate and House of Representatives In General Court Assembled —

The Petition of the Inhabitants of the Town of Arundel by their Select Men Humbly Sheweth that Several Requisitions Were Made by the General Court upon this Town for beaf for the Use of the Continental Army in the Late War: the first of which was not Complied with (through Means We Do not mention) the Second was paid in Beaf — the third Was Voted to be paid in paper Money as the beaf Could not then be procured the Money was taxed & Commited and Collected With as Much speed As our Abilities would Admit of. And was by our Town Treasurer Carried to Berwick in order to Deliver it to y[e] Superintendant but he was then Gone to Boston and at his Return Could Receive the Money Because it was (or soon Expected to be out of Circulation We at this Remote part of the Commonwealth not in the Least thinking that paper Money was so Near its Exit otherwise we should have Directly forwarded it to Boston.— The Money was of Vallue to us when Collected and Now Lays Dead in our Treasury. We Should have Sat Down with the Loss and paid the hard Money before Now if we had been Able but the Case Is far otherwise. And we have an Execution Against us for 11256 [wt] of beaf @ 10[d] per pound

which with the weight of other taxes Makes it Imposible for us to pay it.— And We humbly Conceive that Considering the Infertility of our Land & the Length of our Winters that the taxes bear unequaly hard upon us in this County. Our Constables have of Late tried Every Effort in their power to Collect money but are not able.— We therefore pray that your Honors Would take our Distressed Condition into your wise Consideration and Grant us an Abatement upon the Execu^{n} mentioned for all but the first Demand. On such part thereof as your Clemency and Justice Shall think fit, And your Petitioners as in Duty bound Shall Ever pray

Jn^{o} Hovey, Tobias Lord, Thos Perkins ye 4th } Select Men

October 1786.

the paper money Collected [ ] to purchase we^{ll} Deliver to the Treasurer of the Commonwealth if Requested

Arundel June 25th 1781

Rec^{d} of John Fairfield one of the Constables of Arundel the turn Seven thousand three hundred & seven pounds in full of his Collection of the Beaf Money Commited to him to Collect —

Benj'n Downing Town Treasurer

A true Copy of the original Receipt

Attest Benj^{a} Downing Town Clerk

Arundel June 23^{d} 1781

Rec^{d} of John Patten one of the Constables of Arundel the sum of five thousand Eight hundred twenty-eight pound in full of his Collection of the Beaf tax Commited to him to Collect

Benja Downing Town Treasurer

A true Copy of the original Receipt

Attes Benj^{a} Downing Town Clerk

Petition of Inhabitants of Thomaston.

To the Honorable Seanate & House of Representatives in General Court Assembled

The Petition of the Inhabitants of the Town of Thomaston May 23rd 1785 Humbly Sheweth —

That whereas the Extream Difucalty of the Late Calamitous war renderd our Circumstances varey unhapy by reson of our various Caulings being stopt as to afordeing us aney releaf and both famine and sword threatened us our seafareing Bisness stopt and Likewise our Lumber trade and all ways for the suporte of our famaleys by aney forougn trade made it Neasecrey for us to Cultivate the Soile for our bread —

As there was Grate Quantitys of Land in its State of Nature within the Limits of this Common welth we thought it Good Both for private & Publick Intrest that the improvement of such Lands were Neascearey and whereas there was a Large tract of Land of near ninety miles Extent upon the Sea Coast which was Claimed by Absentees or absconders or both we Exspecting that If those ware absolutely the property of those persons (yeat as they had left us to Contend for the invalueable rights and priveledges which the God of Nature had bestown upon all inteligent beings att the Exspence of Life and fortune we indulged our selves to beleave that the virtue and wisdom of the Athority of this Comon welth would take al Lawful measuers to secure the substance of their own indeviduals (Tharefore we have Seatled our selves on a Cartain tract or parsel of Land being on St Georges river which Lands our Athority by our request have incorporated by the name of Thomaston and our Distresses has ben Grate since by reason of the Enemy so Near us as Bagedoose our Lands New and uncultivated that our Labour was hard and our Cares Grate the Enemy Distressing and maney Times when we had Labour through the Day for our suport we had to stand upon

centery att Night to prevent the Enemy from Destroyeing our Substance which has rendered us unable to guive that assistance to our Bretheren that we willingly would have Done Nevertheles we have not Neglected to Cast in our mite (Tharefore we humbly request That your Honours would take it into your wise Concideration — and Grant to us att Least the value of our Improvement upon Said Lands or that we may have the Lands Confirm'd to us att their reasonable value as thay Naturealy ware before we improved them but whether said Lands ware the Property of Indevidualy or of the Comon welth In General we hope that your Honours will Concider our Circumstances which constraind us to seatel Said Lands and Not Disinharite us or Sufer us to be Disinhearited without the reasonable value of our Labour and Expence and Publick Taxes paid upon Said Lands which if uncomplyed with will reduce us to the Greatest Extremity and we your Petitioners are Ever Bound in Duty to pray

Isaac Loveitt, Nath[l] Fales

Selectmen of Thomaston

Benj Babbidge,
Daniel Morse,
David Fales Jun[r],
James Fales Jun[r],
John Blackinton,
James Kilby,
Oliver Robins Jun[r],
Benjamin Blackinton,
William Spear,
Oliver Smith,
James Fales,
Cap[t] Jonathan Spear,
Constant Rankin,
John Gooding,
Jonathan Crockit,
Isaiah Tolman, Jun[r],
Hugh Kilby,
John Crockit,
Ichabod Barrows,
Comfort Barrows,
Jacob Keen jun[r]
David Watson,
Ebeneezer Bly,
William Thomson,
Nathaniel fales Jun[r],
James Brown,
Jonthen Orbeton,
Ric'r[d] Keating,
James Weed,
Thomas McClenen,
John Simonton.

Jon[a] Peele Agent for the Ship Hector.

To the Honorable Senate and the Honorable House of Representatives in General Court Assembled.

Humbly sheweth Jonathan Peele agent for the Ship Hector lost at the Expedition to Penobscot;

That on the Settlement of the said Ships account, with the Committee for settling the accounts of the late board of War, a Ballance of four thousand, six hundred & seventy pounds, seven shillings & the Interest remains due to him & other Owners; that not having received any part of the several grants made to the Sufferers at that fatal expedition or the least indemnification for the great loss they then sustained, your Petitioner, humbly prays Your Honours, to take the matter into consideration, and order the above Ballance to be paid And as in duty bound will ever pray

Jon[a] Peele
in behalf of the Owners Agent for Ship Hector

Re: Sale of lands in Cumberland County.

Commonwealth of Massachusetts

The Committee of Both Houses, to whom was Committed the representation of the Committee for Selling Confiscated estates in the County of Cumberland; relative to the sale of the estate of Francis Waldo Esq[r] late of Falmouth in said County, an Absentee, have attended the service and ask leave to Report by way of Resolve—

Stephen Choate p[r] order

on the memorial of the Committee for Sale of Lands in the County of Cumberland

Resolved that the Said Committee proceed in the Sale of the Lands referred to in the said memorial agreeable to a resolve of the General Court of February 9, 1785. and that they

retain in their hands (untill the further order of the general Court) So much of the proceeds of said Sales as Shall be sufficient to reimburse, all the Taxes & other Charges that shall have accrued to this Commonwealth, on said Lands: and as soon as the Administrators, on the estate of Brigadier Waldo, decst Shall make it appear; to the said Committee that there is not Estate of Francis Waldo's in any other part of this Commonwealth Suficient to pay one fifth part of the debts due, from the said Brigadier Waldo's Estate. The Said Committee, are hereby directed, to pay, so much of the neat proceeds, on the sale of the Said Lands, in the County of Cumberland, as shall be Wanting, to make up such deficiency, any law or resolve, to the Contrary notwithstanding.

And it is further Resolved, that the Committee aforesaid be and they hereby are directed, to Report to the Gen^{l} Court, at their next Setting, their doings relative to the premises —

In the year of Our Lord 1785

Whereas Joseph Penrice Merchant Fosther Penrice Blacksmith & James Moffit Joiner resident in Pownalborough have dwelt within this Commonwealth these several months, and demeaned themselves well, and have applied to the Legislature to be naturalized

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, that the said Joseph Penrice Fosther Penrice & James Moffit, be Permitted to take and Subscribe the Oath of allegiance to this Commonwealth, before two Justices of the Peace quorum Unus of the County where they dwell; and thereupon and thereafter, shall be deemed adjudged, and taken to be Citizens of this Commonwealth, and entitled to all the Priviledges of natural Citizens.

and be it further enacted by the authority aforesaid That the Justice before whom the said Joseph Penrice fosther Penrice and James Moffit may take and Subscribe the oaths aforesaid, shall make return thereof to the Secretary of the Commonwealth, who shall record the same in the Book ordered to be kept for such Purposes

Oct 24th 1785

Sir: I have the Honnor to Transmit to you, a Transcript of Entry, and Clearences in the Naval office for the port of Gouldsborough from the Time I Received the Official Acct of my Election (Which was about the Last of September 1784) untill the twenty Second day of June 1785

Not having the Acts of the Court By me Was not Quallified as the Law Directs untill March — have apointed two Deputys within my District Whose Returns have Not yet Come to hand, When they Do shall Forward them the First opertunity —

Mr Gordon the Bearer of these Will pay you the Light money Amounting to £4:6:8. had I Received your Notification soon after my Election, Duble the sum might have Been Colected — the Rivers Frezing up in November, Nothing, or Very Little is Done the Winter season —

The Enclosed Return and bond togather With the Mony, I hope Will come safe to hand

I have the Honor to be, with the utmost Respect, your Honnors Most Oblidged Humble servt

A. V. Campbell Navl Officer
Port of Gouldsborough

Honbl John Avery Esqr

A list of Towns in this Commonwealth who have made return of the number of their polls agreably to the Act for taking a Continental valuation.

York — 2617 Whites 27 Blacks Kittery 2771 W 39 B. Wells 2525 W, 17 B. Berwick 3400 W. 20 B, Arundell 1220 W, 10 B. Biddeford 816 W, 11 B. Pepperelboro' 951 W 3 B, Lebanon 804 W, Coxhall 573 W, 1 B, Fryeburg 594 W, 1 B, Brownfield 115 W, 2 B, Shapelaighton 813 W, 6 B, Total 17199 W 137 B.

Cumberland — Falmouth 2860 Whites, 21 Blacks, North Yarmouth 2224 Whites, 13 B, Scarboro 1245 Whites, 23 B, Brunswick 816 W, Harpswell 853 W, Cape Elizabeth 1149 W, 9 B, Gorham 1620 W, 10 B, Windham 662 W, 5 B, New Gloucester 886 W, 3 B, Pearsontown 521 W, Raymondston 195 W, Sylvester 255 W, Bridgeton 175 W, Otisfield 109 W, Total 13,570 Whites 84 Blacks

Lincoln — Pownalboro' 1153 Whites 2 Blacks, Bath 656 W, Topsham 600 B, 5 W, Bowdoinham 537 W, Pittston 306 W, Hallowell 682 W, 10 B, Vassalboro 817 W, 5 B, Winslow 332 W, Boothbay 757 W, 4 B, Edgecombe 686 W, Meduncook 323 W, Warren 387 W, Thomaston 356 W, Fairfield 88 W, Hancock 311 W, Wales 142 W, Canaan 344 W. Total 8477 W, 26 B. Total of all Counties 330,836 Whites 4188 Blacks.

Towns who have not made return viz^{t} York — Massebesec, Sandford, Limeric Littlefalls, Buxton — Cumberland — Gray, Royalsboro', Bakerstown — Lincoln — Georgetown, Newcastle, Woolwich, Winthrop, Waldoboro, Bristol, St Georges, Walpole, Howardstown, Norridgewalk, Sterlington, Lewistown, Balltown

Secretary's Office Boston 24th Oct 1785.

Attest John Avery jun^{r} Secretary.

Letter of resignation from William Lithgow Jr Esq.

George-Town 19th October, 1785

Sir,

Conscious that my duty as a member of the Legislative Body, demands at least a general application to public business, during the several sessions of the General Court; but sensible at the same time, that various private engagements, and an indispensible attachment to the business of my profession, prevent me at present, from paying that attention to the important concerns of the Public, which my duty suggests and my inclination strongly urges me, in a public Character, to adopt; I feel myself therefore constrained from motives of Justice to my Constituents, and a zealous undivided attachment to my Country, and this Commonwealth in particular, to resign my seat in the Honourable Senate: to which I have the honour of being elected, as a Member for the County of Lincoln

I have only to add my sincerest wishes, for the present and future happiness, prosperity, and glory of the Commonwealth, and flatter myself that this notice of my Resignation, will arrive seasonably for New Election agreably to the Constitution

I am with the utmost respect & esteem, Sir, Your most Obt humbl servt

Wm Lithgow Junr

Superscribed: The Honble Samuel Philips Junr Esq. President of the Honble Senate Boston

In Senate Novr 2d 1785

Read & sent down

Saml Phillips Jr Presidt

Govr's Message, Oct^{o} 27, 1785.

Gentlemen of the Senate and Gentlemen of the House of Representatives —

I received yesterday two Packets by the Post from New York. One of them from the Minister for foreign Affairs, giving information, that the Algerines had declared War against the United States.

As this Event must greatly effect the Commerce of the United States in General, and of this State in particular, it is a natural presumption that Congress will make it the Subject of their speedy and attentive deliberation; and that the several States, and this among the rest, will very soon hear from them in regard to it.

In the mean time you will without doubt think it proper, that this intelligence, and the letter, upon which it is founded, should be published in the News Papers for the information, particularly of those, who are in the mercantile line.

The other Packet, dated the 18th ins^{t} at New York is from Nathaniel Sackett Esq^{r} accompanied with a printed copy of a Memorial presented by him to Congress proposing the Settlement of a new State whose boundaries are described in the Memorial. He represents it as essentially necessary to establish a new State in the situation proposed, in order that it may be a Barrier against the British settlements in that neighbourhood, which are carrying on with great rapidity. M^{r} Sackett thinks such an establishment of great importance to the United States; & that the Memorial should pervade every State in the Union to bring it forward. The Memorial, with divers letters and Newspaper-Accounts printed with it, are now laid before you for your consideration.

I have a few lines from our Delegates, enclosing a Resolve of Congress of y^{e} 12th Instant which will be delivered to you for your information. James Bowdoin

Council Chamber, October 27th 1785

Order to examine returns of Senators.

Commonwealth of Massachusetts

In Senate Nov^{r} 2^{d} — 1785

Ordered that Joseph Hosmer Esq^{r} be a committee to examine the returns of Senators for the County of Lincoln, & report who are candidates, in the room of the Hon^{ble} William Lithgow Jun^{r} Esq^{r} who has resign^{d}

Att Sam^{l} Cooper, Clerk of Senate

The Committee above mentioned having examined the returns of Senators for the County of Lincoln, find that the Hon^{ble} William Lithgow & John Farley Esq^{rs} are Candidates for a Senator for said County in the room of the Hon^{ble} William Lithgow jun^{r} Esq^{r} who has declined taking his seat in Senate.—

Joseph Hosmer

In Senate Nov^{r} 3^{d} 1785

Read & Sent down —

Sam^{l} Phillips j^{r} Presid^{t}

Petition of Job Averell.

Commonwealth of Massachusetts

To the Hon^{ble} the Senate & House of Representatives in General Court assembled

Humbly sheweth your Petitioner that during the late War your Petitioner, at much Expence of Time ferried over the River of Sheepscutt, the Number of Men, and at the several Times mentioned in the Account accompanying this Petition, for which Service he has received nothing, except the Credit mentioned in said Account; And as others have received pay for like Services, and your Petitioner has done his full Proportion for the support of the late War in the common way,

your Petitioner humbly prays your Honors to take his Case into Consideration and order him payment for said Service according to the said Account as a small compensation for this extra Labour, or otherways compensate your Petitioner as in your Wisdom you shall think proper, and your Petitioner as in duty bound shall ever pray &c

Job Averell

Commonwealth of Massachusetts in the House of Representatives Nov^{r} 10, 1785

On the Petition of Job Averill praying for an allowance for his Service in ferrying persons over the River Sheepscutt during the late War, for the public.

Resolved that the prayer of the Petition be so far granted, that the Treasurer of this Commonwealth, be and he is hereby, directed to pay to the said Job Averill, the sum of eight pounds Nine shillings and four pence lawful Money in full for his Service as aforesaid —

Sent up for concurrence —

Nathaniel Gorham Speaker

In Senate Nov^{r} 14, 1785

Read & Nonconcurred

Sam^{l} Phillips j^{r} Presid^{t}

The State of Massachusetts to Job Averell, Dr.

1777 June 23^{d} on a Public Alarm a King Shipp being Come in I ferried over Sheepscot River Sixty Nine people at 3 p^{r} man — 0 .. 17 .. 3 Sept^{r} 10th The Rainbow King Shipp Came in and Took possession of a Continental Shipp I ferried over s^{d} Sheepscot River one hundred and Eighty persons With

Coll. Jones the Commander Who Were allow'd and paid by the State forty Shillings p^{r} man at 3^{d} pr man —2 .. 5 .. 0

1779 — I ferried over s^{d} Sheepscot River Souldiers that Went on the Expedition against Maj^{r} Bagaduse, so called, Going there and those that Return'd Eight hundred & Seventy Six at 3^{d} — 10 .. 19 .. 0

ferried over s^{d} River for General Wadsworth which he told me to Charge the State with Thre hundred and Twenty thre at 3^{d} — 4 .. 0 .. 9 Total £18 .. 2 .. 0

The State C^{r} By Thomas Rice Esq^{r} 3 .. 12 .. 0 Total £14 .. 10 .. 0

Pownalborough May 23^{d} A. D. 1783

Errors Excepted

p^{r} Job Averell

Lincoln Ss New Castle May 23^{d} Anno Domini 1783

Than the above named Job Averell personally appear'd and made oath to the Truth of the above accompt Before me

Benjamin Woodbridge Justice of Peace

Governor's Message Nov^{r} 24th 1785.

Gentlemen of the Senate & Gentlemen of the House of Representatives.

Upon receiving information from our Excise Officer at Machias, that the Inhabitants of Moose Island in Passamaquody Bay in this Commonwealth had been notified by the Sheriff of the County of Charlotte, in the British Province of New Brunswick, to send jurors to that County Court, on penalty of forfeiting their Estates in case of refusal, I wrote a Letter on the Subject to M^{r} Carlton, Governor of that Province dated the 9th of September. As I was not informed, that Gov^{r} Carleton had interposed his authority, I mentioned

to him, that I was inclined to believe my informant was mistaken in his opinion, that the Government of New Brunswick had given its sanction to a measure altogether unexpected & insupportable; & that I assured myself he would issue orders effectually to prevent the above mentioned, & every other encroachment on the territorial rights & Sovereignty of this Commonwealth, & of the United States —

To that Letter I have received an Answer, dated at S^{t} John the 18th of Oct^{r}, which not only justified the proceedings of the Sheriff; but contains an implied declaration, that the said Island, with several other Islands, is, by virtue of the treaty of Peace, within that province.

As it seems clear, they mean to obtain possession of those Islands by compelling the inhabitants to acknowledge the right of jurisdiction to be in the Government of New Brunswick, I think it highly expedient you should be informed of their proceedings as soon as may be, that such measures may be adopted concerning them as you shall judge suitable.—

Of those proceedings Congress have been informed by my letter to our Delegates: & have sent an Account of them to the Minister of the United States at London —

My letter to Governor Carleton & his answer to it will be delivered to you Gentlemen by the Secretary.

James Bowdoin

Council Chamber, Nov^{r} 24th 1785

Report of Committee Appointed to Consider the Report of the Committee on the Subject of Unappropriated Lands in the County of Lincoln.

The Committee appointed the seventh of November to consider the report of the Committee on the subject of unappropriated lands in the County of Lincoln beg leave to

report, that they have attended to the report first mentioned and the facts and reasonings therein contained,— and are of opinion that it will be for the interest of the Commonwealth, that the said report be accepted; and that immediate measures be taken to carry the same into effect: for which purpose they present the following Resolves which is humbly submitted —

Sam[l] Baker p[r] order

Commonwealth of Massachusetts

Whereas the Committee appointed by a Resolve of the General Court of the 28[th] of October 1783, on the subject of unappropriated lands in the County of Lincoln, and among other things to ascertain the extent & authenticity of private Claims to lands in the County aforesaid, have made report, that they have particularly attended to the Claims of the Plymouth Company (so called) to lands on Kenebeck river, and that in the prosecution of their enquiry, several propositions for an adjustment of the matter in controversy between the Commonwealth and the said Company have been made; from an examination of which, and from a conviction that a speedy adjustment of all matters in dispute in the Eastern County between Government and individuals and Companies must be for the interest of the Commonwealth, the Committee finally thought it best for the Commonwealth to meet the Company on the following proposition, to wit — That the general course of Kennebeck River shall be pursued up to the mouth of Wesserunsett that a line shall be drawn through the mouth of the said Wesserunsett, at right angles with the said general course of Kennebeck River, and extended fifteen miles into the woods on each side of Kennebeck River — that another right line shall be drawn parallel to the said right line passing through the mouth of Wesserunsett, six miles above it, on a perpendicular distance between the said lines, and extended into

the woods fifteen miles on each side of the said Kennebeck River — and that the said upper line shall be the Northern boundary line of the Company's Claims:— that the said Company shall release to the Commonwealth all Claims, that they may have to any lands above the said upper line; and that the Commonwealth shall release to the said Company, all Claims they have to any lands between the said upper line and the Sea, and within fifteen miles of Kennebeck River on both sides of it:— and that the said Company shall have, for one year after a settlement is made, the right of pre-emption to any lands within five miles of the said upper line above it.

And whereas the said Committee on the best principles & calculations in their power to adopt, were induced to think it would be for the interest of the Government to meet the Company on this proposition —

In the House of Representatives March 16, 1786
Read & non concurred
A Ward Speaker

Resolve on Foregoing.

Resolved that the General Court do approve of the said proposition, & that this Commonwealth doth hereby release, and grant unto the said Plymouth Company, otherwise called the proprietors of the Kenebeck purchase, from the late Colony of New Plymouth, their heirs & assigns forever, all the right, title & interest, which the said Commonwealth hath in or to, all that Tract or Parcell of land lying and being in the County of Lincoln, and Commonwealth of Massachusetts, bounded Northerly by a line running across said Kennebeck

River at right angles with the general course of said Kennebeck River, from the mouth thereof to the mouth of the river Wesserunsett, at the perpendicular distance of six miles above, or to the northward of the mouth of the river last mentioned, the said line extending fifteen miles into the woods on each side of the said Kennebeck River : and Southerly by the Sea or Ocean; and lying between the said upper or Northerly line and the Sea, and within fifteen miles of the said Kennebeck on each side thereof from the said Northermost line to the Sea. And it is hereby further granted to the said Proprietors of the Kennebeck purchase, that they shall have for one year after the date hereof the right of preemption to any lands within five miles of the said upper line above it.

Provided always that the said Company shall within the space of six months, execute & deliver to the Secretary of this Commonwealth, a good & authentic Release & Grant, of all their right, Title, & Interest therein & to all lands in the said County of Lincoln, not to them released & granted in manner above said —

In Senate Nov. 25, 1785.

Read & accepted —

Sent down for concurrence

Sam[l] Phillips Jun[r] Presid[t]

Statement of the Kennebeck Claims.

The Committee appointed by a resolve of the General Court of the 28[th] of October A. D. 1783, on the subject of unappropriated lands in the county of Lincoln; and, among other things, to ascertain the extent and authenticity of private claims to lands in that county,— have particularly attended

to the claims of the Plymouth Company (so called) to lands on Kennebeck river: and as they claim extensive tracts there, by patent, Indian deeds of ancient date, and by various titles derived from other companies, which involve in them some things worthy a particular inquiry, the Committee beg leave to report a particular statement of the said claims.

November, A. D. 1620, King James I. granted to the Council, established at Plymouth, in the county of Devon, in England, for the planting, ruling, ordering, and governing of New England, and to their successors and assigns, all that part of America, lying between the thirty-ninth and forty-ninth degrees of north latitude, and the Atlantic and the Eastern oceans, to hold in fee, in free and common soccage, rendering one fifth part of the ore of gold and silver;—within which limits, the said Kennebeck lands are situated, whereof it appears the natives of that country were then in possession, claiming the soil and jurisdiction of the same.

About the year 1620, William Bradford, and others, settled at New Plymouth, where they made considerable settlements, and, in the year 1629, had increased to the number of three hundred families: in consideration whereof, and in consideration they might aid and assist those persons, who might fall on the coast of America, the said Council, A. D. 1629, granted to the said Bradford his heirs, associates, and assigns, that tract of land formerly called the Old Plymouth colony, and a part of the Kennebeck lands now in question, in the words and form following, to wit,—

"KNOW ye, that the said Council, by virtue and authority of his said late Majesty's letters patents, and for and in consideration, that William Bradford, and his associates, have, for these nine years, lived in New-England aforesaid; and have there inhabited and planted a town called by the name of New-Plymouth, at their own proper costs and charges:

and now seeing, that by the special providence of God, and their extraordinary care and industry, they have increased their plantation to near three hundred people, and are, upon occasions, able to relieve any new planters, or other his Majesty's subjects, who may sail on that coast — Have given, granted, bargained, sold, enfeoffed, allotted, assigned, and set over, and by these presents, do clearly and absolutely give, grant, bargain, sell, aliene, enfeoff, allot, assign, and confirm, unto the said William Bradford, his heirs, associates, and assigns, all that part of New-England, in America aforesaid, and tract and tracts of lands, that lye within or between a certain rivulet or rundlett, there commonly called Coahasset, alias Conahasset, towards the north, and the river commonly called Narraganset-river, towards the south, and the great Western Ocean towards the east, and between and within a straight line, directly extending up into the main land, towards the west, and from the mouth of said river, called Narraganset-river, to the utmost limits and bounds of a country or place, in New-England, commonly called Pocanacutt, alias Sawomset, westward, and another like straight line, extending itself directly from the mouth of the said river called Coahasset, alias Conahasset, towards the west, so far up into the main land, westward, as the utmost limits of the said place or country, commonly called Pocanacutt, alias Sawomset, do extend; together with one half of the said river called Narraganset, and the said river, or rundlett, called Coahasset, alias Conahasset, and all lands, rivers, waters, havens, creeks, ports, fishings, fowlings, and all hereditaments, profits, commodities, and emoluments whatsoever, situate, lying and being, or arising within or between the said limits and bounds, or any of them.

And forasmuch as they have no convenient place, either of trading or fishing, within their own precincts, whereby (after so long travel and great pains) so hopeful a plantation may

subsist, as also that they may be encouraged the better to proceed in so pious a work, which may especially tend to the propagation of religion, and the great increase of trade to his Majesty's realms, and advancement of the public plantation — the said Council have further given, granted, bargained, sold, enfeoffed, allotted assigned, and set over, and by these presents do clearly and absolutely give, grant, bargain, sell, aliene, enfeoff, allot, assign and confirm unto the said William Bradford, his heirs, associates and assigns, all that tract of land, or part of New-England, in America, which lyeth within or between, and extendeth itself from the utmost limits of Cobbiseconte, alias Comaseconte, which adjoineth to the river of Kennebeck, alias Kenebekike, towards the Western ocean, and a place called the Falls, at Neguamkike, in America aforesaid, and the space of fifteen English miles on each side of the said river, commonly called Kennebeck-river; and all the said river called Kennebeck, that lies within the said limits and bounds, eastward, westward, northward or southward, last above-mentioned; and all lands, grounds, soils, rivers, waters, fishings, hereditaments, and profits whatsoever, situate, lying and being, arising, happening or accruing, or which shall arise, happen or accrue in or within the said limits or bounds, or either of them; together with free ingress, egress and regress with ships boats, shallops, and other vessels, from the sea commonly called the Western ocean, to the said river called Kennebeck, and from said river to the Western ocean; together with all prerogatives, rights, royalties, jurisdictions, privileges, franchises, liberties and immunities; and also marine liberty, with the escheats and casualties thereof (the Admiralty jurisdiction excepted), with all the interest, right, title, claim and demand whatsoever, which the said Council and their successors now have, or ought to have and claim, or may have or acquire hereafter, in, or to any of the said portions or tracts of land hereby mentioned to be

granted, or any the premises, in as free, ample and beneficial manner, to all intents, constructions and purposes whatsoever, as the said Council, by virtue of his Majesty's said letters patents, may or can grant"— To have and to hold the said tract and tracts of land in fee, rendering to the King, his heirs and successors, forever, one fifth part of the ore of the mines of gold and silver, and one fifth part thereof to the said Council.

And the said Council further granted to the said Bradford, his heirs, associates and assigns, their factors, agents, tenants and servants, liberty to trade and traffic, as well with the English as the natives, within the precincts aforesaid; "with liberty of fishing upon any part of the sea-coasts and sea-shores of any of the seas and islands adjacent, and not being inhabited or otherwise disposed of by order of the said President and Council."

Also it is further granted, that it should be lawful for the said Bradford, and his associates, by some usual or fit name and title, to form him, or themselves, or the people there inhabiting under him or them, into a body politic and corporate, for the better government of their affairs, in America.

And the said Council constituted Edward Winslow, and others, their attornies, to enter, and take possession and seisin of the granted premises, and to deliver possession and seisin thereof, to the grantees;—which was done and performed accordingly.

August 8th, 1648,—Monquine, alias Natahanda, who called himself son of old Natowormet, Sachem of Kennebeck river, sold, and set over to the said Bradford, and others, "all the lands on both sides the said river, from Cushenock upward, to Wesserunlkeik; to have and to hold to them, and their heirs forever; with all the meadows, waters, soils, profits, liberties and privileges, any way belonging thereunto, or

arising from the same, for and in consideration" of four hogsheads of provisions, and some other small articles. This deed is signed by two witnesses, who, A. D. 1672, made oath, before the Deputy-Governour, that they saw Monquine sign the said deed.— On this paper, below the attestations of the witnesses, made A. D. 1672, there is a certificate, signed by Agodoadomago, the son of Wasshemet, and by Tafuch, brother of Monquine, by making their marks, signifying, that they consented to the above sale, attested by three witnesses; two of whom made oath, before the said Deputy Governour, June 29th, A. D. 1672, that they saw the payment made to Monquine, and that Baggadusiett, being present, received a part of the goods, for the lands aforesaid.

This instrument appears to have been recorded in the records of deeds for the county of Lincoln, February 9th, A. D. 1761.

September 10th, 1653.— Essemenosque certifies as follows, to wit,— "This is to certify all whom it may concern, that I Essemonosque, inhabitant in Kennebeck-river, and one that is one of the right owners of Teconett; the which place as also all that tract of land from Cobbiseconte, unto a place where I now dwell, called Usserunscut: all which land was sold by Monquine, alias Muttahanada, unto Wm. Bradford, of Plymouth, and his associates: all which lands and places, I was willing to the sale of, and did give my consent to, and did receive part of the pay; as also, I do testify, that neither I, nor any other Indian, did ever blame him for it, but we did all freely approve of it. And as for myself, and so many others, are sorry that Lawson doth now build at Toconett; and that I never did give way to it; and Baggadussett did it against his will, by the importunity of M^{r} Lake, Roger Spencer and Lawson, and told them moreover, when they did desire to buy it, he would not sell it until he had spoken with

John Winslow; yet they did prevail with him: for which he did tell all the Indians he was sorry, and would repay what he had received again. All which I do witness by my hand and mark. Also I do affirm, that Toconett, which Baggadussett did sell to Mr Luke and the rest, he had nothing to do to sell, the place being properly mine and Watchogoe's wife's, and that Lawson hath lately desired to buy it of us, which we have and shall refuse to do.

Essemenosque, **X** his mark.

This writing is signed by three witnesses; one of whom, June 29th, 1672, made oath, before the Deputy-Governour, that he signed, "as a witness, the writing above, signed by Essemenosque, by his mark on the day of the date thereof;" and the hand writing of another of the witnesses is attested to, before one of the assistants, September 10th, 1670.

February 9th, 1761, said writing was recorded in the records of deeds for the county of Lincoln.

October 27th, 1661.—The General Court of the said colony of New Plymouth, the heirs, successors, and assigns, of the said Bradford, and others, to the said Kennebeck lands, reciting the aforesaid grant from the Council of Plymouth, of the lands at Kennebeck, in consideration of four hundred pounds sterling, granted the lands, (in the same words, and by the same description) to Ancipas Boyes, and others, and their heirs, whose successors the said Plymouth Company are. And also, the said General Court, by the same deed, granted to the said Boyes, and others, all the lands purchased by the said Indian deeds, by these descriptive words, to wit, "As also all the lands on both sides of the said river, from Cushenock upwards, to Wesserunset, bought by us of Monquine, alias Mattahannada." Recorded February 9th, 1661.

July 8th, 1665.—Baggadussett made his writing of the form following, to wit,—Know all men by these presents, that whereas Monquine, alias Mattahannada, the son of old Nattawormet Sagamore, hath formally sold unto William Bradford, Edward Wislow, Thomas Prince, Thomas Willett, and William Paddy, all the lands upon both sides of Kennebeck-river, from the lower end of Cobbiseconte, to the upper side of Wesserunskeik; to have and to hold to them and their heirs forever—And whereas Baggadussett, Sagamore, doth challenge and lay claim to the said lands, as the lawful proprietor of the same: now, so it is, that the said Baggadusset hath, this present day, sold, enfeoffed, and set over all his right, title, and interest, unto John Winslow, senior, late of Plymouth, and the rest of his partners, to him and them, and to his and their heirs, executors, and assigns, all the said lands, on both sides the river, with all and singular the woods, meadows, rivers, with all the privileges and appurtenances thereunto belonging: and for performance hereof, the said Baggadusset doth bind himself, his heirs, and executors, forever, firmly by these presents; as witness my hand, this 8th day of July, 1665. And in consideration hereof, the said John Winslow, for himself and his partners, hath given to the said Baggadussett and the worth of two skins—of liquor, and the worth of one skin of bread, to Abomkett, alias Watchogo.

X the mark of Baggadussett.

This writing is signed by three witnesses, and has the marks of four Indians thereon. This writing does not appear to be acknowledged, nor the execution, or delivering of it, to be proved by the oaths of the subscribing witnesses.

February 9th, 1761, this writing was recorded in the records of deeds for the county Lincoln.

In the royal charter of William and Mary, for the province of the Massachusetts-Bay, in the third year of their reign, incorporating therewith the old colony of Plymouth, the province of Maine, and extending the jurisdiction thereof to the tract of country between the rivers Kennebeck and St. Croix, it is granted and ordained, that all such lands, tenements, and hereditaments, and other estates, which any person or persons, or bodies politic, &c. do hold or enjoy, or ought to hold and enjoy, within the bounds aforesaid, by or under any grant or estate, duly made or granted by any General Court formerly held, or by virtue of letters patents, or by any other lawful title, shall be, by such person or persons, or bodies politic, &c. their respective heirs, successors, and assigns, forever hereafter held and enjoyed, according to the purport of such respective grant, paying the rents therein reserved.

And that no grants, or conveyances of any lands, tenements, or hereditaments, to any towns, colleges, schools of learning, or to any private person or persons, shall be adjusted or taken, to be avoided or prejudiced, for, or by reason of any want or defect of form, but that the same shall remain in force, according to the laws and rules in being previous to the granting said charter, and the judgment of Chancery for cancelling the former charter.

In the year 1757, the proprietors holding under Clark and Lake, and the said Plymouth Company having several matters in dispute, respecting the said Kennebeck lands, submitted them (by rule of Court) to the determination of Mess'rs Wolcot, Gridley, Pratt, Worthington and Hawley, who, reciting that the Plymouth Company claimed all the lands fifteen miles on both sides of Kennebeck-river from the Western ocean, to the northern or uppermost part of a place called Wesserunsett, with all the islands within that extent: and that the said proprietors, holding under Clark and Lake,

(who held under Lawson) claimed to themselves, all the lands on the west side of the said Kennebeck-river, from the lower or southerly end of a place called Negumke, and so, going up said river four miles above the falls at Toconett, and extending from said river ten miles westerly into the woods:— Also, another tract, lying on the east side of the said river Kennebeck, adjoining to the said river Kennebeck, adjoining to the said river on the north-west, and so south-westerly to the southermost island of Nequamke, and six miles from Toconett falls, north-eastward, and so fifteen miles along from the said river Kennebeck into the main land, south-eastward:— Also, another tract of land, lying on Kennebeck-river aforesaid, and extending from the northermost part of a certain place called Cobbisconte, unto a certain place called Swan-Alley, and so extending ten miles into the woods, on each side of the said river, east and west throughout all the length:— Also, another tract of land on the east side of the said river, bounding northerly on the tract last mentioned, and eastwardly partly on Sheepscut-river, and south-easterly and southerly on Monsweeg and Towasset bays, and westerly on said Kennebeck-river; together with the island called Arrowseek island; and a tract of land on Parker's-island, so called, bounded as follows, to wit, Beginning at a point of land commonly called the Flying-point, and then running down on the eastern side of the little river, which runneth down by Arrowseek-island, into the main river of Kennebeck, to the fourth side of the mouth of the First Great Long Marsh, lying in the Great Bay Creek Thatch, (as the said bay was formerly called) and from the south side of the mouth of the aforesaid Long Marsh, along the wood's side on the southeast and eastern side of the aforesaid Long Marsh, to the eastern side of the head of the cove that runs from the bay called Jeremy Squam-bay, and from thence round that part and parcel of land on the

north east and northward side round to Flying-point aforesaid, containing about four hundred and fifty acres— Awarded, that the said proprietors should hold a tract of land on the east side of Kennebeck aforesaid, beginning at Merry-Meeting bay, so called, one hundred and sixty rods northward of the northerly corner of a tract of land laid out for a township by the proprietors under Clark and Lake, at a place called Nequasset; from thence running east-south-east, without variation of compass, to Monsweeg-river; thence running southerly down said river to Monsweeg-bay, and so round southerly to a place called Hell's Gate, Nequasset and Towassett bays, and westerly on Kennebeck-river and Merry-Meeting bay, and northerly on the same river to the first-mentioned bounds; also, Arrowseek-island; also, the above-mentioned tract of land or Parker's-island.

And they further awarded all the rest and residue of the lands aforesaid, (above-recited) on the said river Kennebeck, (herein not before especially awarded) to the Plymouth Company, viz. From the northermost part of Wesserunsett aforesaid on the north, to the Western ocean on the south, and extending the space of fifteen English miles into the woods on each side of the said river Kennebeck, together with all the islands within those bounds, except Arrowseek, and part of Parker's-island above-mentioned.

And that the said Company and the said Proprietors should grant, release, and quit claim to each other accordingly; which they did and performed, according to the award, by deeds, executed, acknowledged and recorded.

The first of the above tracts of land, recited in said award, appears to have been purchased, by the said Lawson, of Wasshemet, an Indian Chief; as also all that part of the second tract therein recited, which extends from said Kennebeck-river into the woods fifteen miles, by deed dated May

24, 1653, signed, sealed, delivered, acknowledged and recorded.

The third tract in said award, above-recited, appears to have been purchased, by the said Lawson, by deed dated October 10, 1649, of Abscaduset and Kenebis, Sagamores. This deed is recorded in the county of York, and the execution of it proved by the oath of one of the subscribing witnesses.

The fourth tract therein recited appears to have been purchased, November 7, 1639, of the natives.

The deeds of Washomacke, dated June 25, 1653, are found and produced — one, of the second tract of land above-recited, and the other deed, of a part thereof, lying about Washrong-river. The first of these two deeds is proved by the oath of one of the subscribing witnesses, but does not appear to be recorded. The execution of the second is proved in the same manner, and appears to be entered and recorded the twenty-third of November, 1666.

Another deed, dated September 9, 1653, of the said second recited tract, from an Indian, called Chogoandoe, to the same Lake and Spencer, who are the grantees in two deeds of Washomacke, is produced. The execution of this deed is proved by the oath of one of the subscribing witnesses, July 29, 1654, and appears to be entered and recorded, November 23, 1666, in the book of records, folio 18.

February 20th, 1658.— The said Plymouth Company made a settlement with a Pejepscot Company, so called, who claim under Richard Wharton; and by deed, executed and acknowledged by their Clerk, and recorded, the said Pejepscot Company released all their right and title, to the said Plymouth Company, in the lands following, to wit, all the lands lying within the said Pejepscot claim, northward of a line beginning at the mouth of Cathance river, and running a west-north-west course, without variation of compass, until

it meets the westerly line of the said Kennebeck purchase, which is fifteen miles from the said Kennebeck-river; and also the lands from Merry-meeting-bay, extending southerly and lying on the west side of Kennebeck, to the mouth thereof, where it empties itself into the sea, and from thence to run westwardly on the sea-coasts round Small Point; thence running northerly on the sea shore up to New-meadow-bay, alias Stephen's river, until it meets with Stephens'-carrying-place, so called, and from thence to run a west-north-west course, without allowance for the variation of the compass, to Merry-meeting bay, with all the islands in Kennebeck-river; and on the sea-coasts, from the mouth of the said Kennebeck to the western line of the said Kennebeck Company's claims, except the islands Sebascodegan, and Little Damaris Cove island, and the islands in the river Androscoggin and Pejepscot; to hold in fee.

This deed appears to have been made in consideration of five shillings, and a like release of lands, lying southward of the first above-mentioned line, by the Kennebeck Proprietors.

The part of the Company's claim, which is supported by the title of the Pejepscot proprietors may be stated as follows:—

July 7th, 1684 — Warumbee, and five other Indians, who called themselves Sagamores, by their deed to Richard Wharton, recited, that, near sixty years before, Thomas Purchase came into this country, as they were well informed, and that he did, as well by power and patent from England, as by the consent and agreement with the proprietors "of all the lands lying on the easterly side of Casco-bay, and both sides of Androscoggin-river and Kennebeck-river, enter upon, and take possession of, all the lands lying four miles westward from the uppermost falls on the said Androscoggin-river, to Maquoit in Casco-bay, and on the lands on the other side

Androscoggin-river, from the said falls down to Pejepscot and Merry-meeting bay, to be bounded by a south-west and north-east line, to run from the uppermost part of said falls to Kennebeck river, and all the lands from Mequoit to Pejepscot, and to hold the same breadth, where the land will bear it, down to a place called Atkins-bay, near to Sagadehoc, on the westerly side of Kennebeck-river; and all the islands in said Kennebeck-river, and the land between the said Atkins-bay and Small Point harbour, and the lands and rivers and ponds interjacent, containing there in breadth about three English miles, more or less"—and "that they were well assured, that Major Nicholas Shapleigh, in his life time, was, both by purchase from the Indian Sagamores, their ancestors, and by consent of Mr. Gorges, Commissioner, possessed, and died seized of the remainder of the lands lying and adjoining upon the main, and all the islands between the said Small Point harbour and Maquoit aforesaid, and particularly a neck of land called Merrcioneeg, and an island called Sebascodegin"—and that "the relict and heirs of said Mr. Purchase and Major Nicholas Shapleigh have reserved accommodations for their several families, sold all the remainder lands and islands to Richard Wharton"—and that as "said Purchase did personally possess, improve and inhabit at Pejepscot, near the middle of the lands aforesaid, for near fifty years before the then late war"—and that "as said Wharton had desired an enlargement between Androscoggin and Kennebeck-river, and to encourage him to settle an English town, and to promote the salmon and sturgeon fishery, by which they promised themselves great supplies, and for other good causes, and for a sum of money received"—the said Warumbee, and the others, Sagamores of all the aforesaid and other rivers, and lands adjacent, for further confirmation of his the said Wharton's title and property, gave, granted, ratified and confirmed to him "all the aforesaid lands, from the uppermost

part of Androscoggin falls four miles westward, and so down to Maquoit, and by said river of Pejepscot; and, from the other side of Androscoggin falls, all the lands from the falls to Pejepscot and Merry-meeting-bay, to Kennebeck and towards the wilderness, to be bounded by a south-west and north-east line, to extend from the uppermost part of the said Androscoggin uppermost falls to the river of Kennebeck; and all the lands from Maquoit to Pejepscot, and so to run and hold the same breadth, where the land will bear it, unto Atkins-bay in Kennebeck-river, and Small Point harbour in Casco-bay; and all the islands in Kennebeck and Pejepscot rivers, and in Merry-meeting bay, and within the aforesaid bounds, especially the aforesaid neck of land called Merriconeeg, the island called Sebascodegin, together with all the rivers, rivulets," &c. and all the use of the salmon and sturgeon fishery in the said bays and rivers within said bounds — And the said Warumbee and others, for the consideration aforesaid, gave, granted, bargained, sold and confirmed to the said Wharton, "all the lands lying five miles above the uppermost of the said Androscoggin-falls, in breadth and length, holding the same breadth from Androscoggin-falls to Kennebeck-river, and to be bounded by the aforesaid south-west and north-east line; and a parcel of land at five miles distance, to run from Androscoggin to Kennebeck-river aforesaid" — with all the privileges, &c. and particularly the salmon and sturgeon fishery within the said bounds — to hold in fee — And the said Sagamores covenanted, that they had good right so to confirm and convey the premises, and to warrant and defend the same against the lawful claims of any persons under them, or from any of their ancestors — with the following provisoes, to wit — Provided, nevertheless, that nothing in this deed be construed to deprive us, the said Sagamores, successors or people, from improving our ancient planting-ground, nor from hunting in any of the said lands, being not enclosed,

nor from fishing, for our provision, so long as no damage shall be to English fishery — Provided, also, that nothing herein contained shall prejudice any of the English inhabitants or planters being at present actually possessed of any part of the premises, and legally deriving right from the said Mr Purchase and our ancestors"— Signed, sealed and delivered in presence of five witnesses, who subscribed their names as such. The evidence of the execution of this deed of livery and seisin, &c. is noted on the same, as follows, to wit— "Memorandum, that upon the day of the date of the within-written deed, the several Sagamores, whose names are subscribed thereto, and inserted therein, did, at the fort of Pejepscot, deliver quiet and peaceable possession of the premises, with livery and seisin, to Mr. John Blaney and wife, in their own right, as she is administratrix to the estate of Mr. Thomas Purchase, deceased; and in right of his children. Also, the said Blaney, as attorney to Mr. Eleazer Way, did, the same day, deliver quiet and peaceable possession, with livery and seisin of the premises, to Mr. Richard Wharton, the quantity of seven hundred acres of land, being excepted according to a former agreement.

Henry Waters, John Parker

Taken upon oath this 19th day of July, 1684 — this was sworn to by John Parker, before me,

Edward Tyng, Justice of the Peace.

James Andrews, (one of the subscribing witnesses) aged forty-nine years, testifieth, upon oath, that he saw this deed or instrument sealed and delivered by the six Sagamores, within-named, to Richard Wharton, and saw John Parker and George Felt, the other witnesses, subscribe as witnesses, as now they are on the endorsement above.— Sworn before me, this 21st of July, 1684.

Edward Tyng, Justice of the Peace.

Falmouth, in Casco-bay, July 21, 1684.— Warumbee, the Sagamore within-named, this day appeared before me, and, in behalf of himself and other Sagamores that sealed and delivered the within-written instrument, acknowledged the same to be his and their free act and deed.

Edward Tyng, Justice of the Peace.

John Parker, of Kennebeck, aged about fifty years, deposeth, that he saw this deed signed, sealed and delivered by the several Sagamores within named, and saw possession, together with livery and seisin of the premises, as is expressed in the other endorsement on this deed, and in presence of the several witnesses thereto subscribing: and further the deponent saith, that upon the eleventh day of this instant month, he, with Mr. Henry Waters, were present, saw Warumbee deliver possession and livery and seisin, by a turft and twig and bottle of water taken by himself off the land, and out of the main river above Androscoggin-falls, to Richard Wharton, in full compliance with the conveyance of the premises within granted and confirmed.

Taken upon oath, 9th (probably 19th) of July, 1684, before me,

Edward Tyng, Justice of the Peace.

A true copy of this deed or instrument within-written, subscribed by several Sagamores, to Mr. Richard Wharton, acknowledged by Warumbee, and attested as by divers witnesses above-written; transcribed out of the original, and therewith compared, this 26th July, 1684, per Edward Rishworth, Recorder; this was taken from a copy from the county of York, lib. 4, fol. 15 and 16, and was attested by Daniel Moulton, Register.

Falmouth, in Casco-bay, August 4, 1726.— This instrument was shewn to Wine-meuel, chief Sachem of Penobscot,

and his tribe, at the ratification of the peace, then made between the government of the Massachusetts Bay and the Penobscot and other eastern Indians: this was done by a Committee of the General Court appointed for that purpose.— Attested,

John Wainwright, Chief Concilii.

The above attestation is rendered and attested on a copy of said Indian deed produced at said treaty, in my hands.

Belcher Noyes, Prop. Clerk.

The contents and evidence of the execution of this deed and title must be taken in connection with the subsequent doings of the General Court.

June 10, 1715.— To encourage the settlement of Brunswick and Topsham, it was "voted that the Court — give a confirmation to their purchase, as bounded and laid down in their proposals," (referring to the Pejepscot purchase) "with a saving for any or all other grants, titles, interests or estates that may be found within the same, and particularly that of Harvard College, and with a reservation of the rights, improvements and possession of any inhabitants or proprietors; provided always, and it is to be understood, that those persons shall be subject to such regulations of this Court, as have been made, their settling in a defensible manner."— By the foregoing vote it appears, the lands therein referred to were confirmed, &c. to the Pejepscot Company, according to the proposals laid by them before the Court. Respecting these proposals, is the following, to wit,—

Province of Massachusetts-Bay.— In obediance to an order of the Great and General Court of said province, bearing date January 26, 1764, published in the several public prints, directing all persons claiming land in the late Province of Main, and without the bounds of any town, by virtue of any grant or title whatsoever, to make return of the bounds of such

claims into the Secretary's office, on or before the first day of June next.

The proprietors of certain lands at Pejepscot, bordering on Androscoggin-river, do hereby represent the bounds of their claim to said lands, derived by legal purchase from the Indians, anno 1684, and confirmed by the General Court of the said province anno 1715, viz.— Running from five miles above the uppermost falls of Androscoggin-river, on a north-east line, over to Kennebeck-river, including what land lyes to the southward of that line, down to Merry-meeting-bay — Likewise running from said Androscoggin uppermost falls four miles west, and so southerly down to Maquoit, taking in the lands lying four miles west of said river — Likewise the lands lying southward of Merry-meeting-bay, on the westerly side running down to Small Point harbour, including Merriconeeg-neck, and the island Sebascodegin, with the other islands interjacent — and on the easterly side running round Wineganee-point, and so down Segadahoc-river, along by Arrowseek-island down to Atkins-bay.

Out of which tract of land, since the confirmation of the General Court in 1715, said proprietors have settled three townships, to wit, Brunswick, Topsham and Harpswell — are now prosecuting the settlement of a fourth township above Brunswick and Androscoggin-river.

In behalf of the proprietors — Signed,

Belcher Noyes, Prop. Clerk.

The above is a true copy of the Pejepscot claim on file in the Secretary's office, exhibited by Belcher Noyes, Esq.—

Attested, John Cotton, D. Sec'ry.

The Committee do not find on the records of government, or know of any objection that has been made to the above description of the Pejepscot claim; from whence (from the presumption the Company, in their proposals to the General

Court in 1715, stated the bounds of their claim according to their Indian deeds, and from taking the whole evidence together respecting the subject) they conceive the evidence to be in favour of the confirmation of the claim as it is laid down by the Company.

June 13th, 1762.— The said Plymouth Company made a settlement with the Witscaset Company, commonly called, who claim under the heirs of George Davis; and the said Witscaset Company, by deed executed and acknowledged by James Halrey, their Clerk, and recorded in the records of deeds in the county of Lincoln, July 10th, 1762, granted, released and quit-claimed, to the said Plymouth Company, the tract of land following, to wit, Beginning at the upper narrows of Sheepscut-river, at the northermost part of a point of land on the easterly side of said Sheepscut-river, called Flying-point; from thence to run across said river a north-west course, without variation of compass, half way over to Kennebeck-river; from thence to run southerly, keeping an equal distance between said Sheepscut-river and said Kennebeck-river, until it meets the northern boundary line of a tract of land claimed by the Company holding under Clark and Lake, and the Andover proprietors; from thence to run east-south-east, on said northerly line, until it meets with Monsweeg-brook, and river, to the mouth thereof, where it empties itself into Monsweeg-bay; then turning easterly round a point of land, (a little to the southward of which point of land is an island lying in said bay) and to run northerly up said bay and Sheepscut-river, on the west side of Jeremy Squam island, to said Flying-point, to the first-mentioned boundary line, except certain lots mentioned and reserved in said deed.

This deed was given in consideration of a like deed of release by said Plymouth Company to the said Witscaset Company, of other lands.

The lands aforesaid, granted and released as aforesaid by the said Witscaset Company, were purchased of the Indians, Modocahant and others, Sagamores, by George Davis, by deed dated Dec. 21, 1663, recorded by the Clerk of the Committee of Eastern Claims, and are a part of the lands contained in the said deed, and within the limits following, to wit,— All that parcel or quantity of land lying on the west and north side of Witscaset-bay, with the land lying on the west or north side of Monsweeg-bay, with a certain island, lying to the east of Sheepscut-narrows and Monsweeg-bay, containing by estimation about four thousand acres; the consideration of which purchase from the Indians was 20 l. sterling. In the constructions of the deeds and patent aforesaid, and in ascertaining the boundaries of the lands thereby conveyed, a number of questions arise, that deserve the greatest attention, as well on account of their ambiguity, as of their importance to the parties interested: the Committee, therefore, find it necessary and expedient, to pursue the claims of this Company, in their several parts, as they are founded on distinct titles, to collect and state the evidence touching the boundary lines of the respective claims, where they are obscure and doubtful, and to put that construction on the several parts of the said deeds and patent, and on the acts and doings of Government, and parties interested in the land in question, which may be most agreeable to law, justice and reason.

As the claims of this Company now extend, and involve in them almost all the considerable matters of controversy which have existed this century and more, past, between the Government and individuals, respecting the Sheepscut, the Kennebeck, and the Androscoggin lands, and remain undivided, the Committee find it difficult to give any idea of the situation of these claims, without entering somewhat minutely into the state of them, and of the imperfect evidence that can now be collected.

In examining this claim, the most material general questions that arise, are,

1st. Respecting the northern and southern lines of the patent lands.

2d. The extent of the lands granted by Monquine and Essemenosque, as granted and confirmed to Boyes, and others, A. D. 1661.

3d. The extent of the lands conveyed by Beggadusett.

4th. The extent of the Pejepscot claim, westwardly. And

5th. The extent of the lands, owned by Government, below Cobbiseconte, &c.

And first, to fix the northern and southern lines of the patent tract on Kennebeck-river, granted to Bradford, and others, the Committee have endeavoured to ascertain the meaning of some of the descriptive words of the grant, as the expressions "Cobbisecontc," "the utmost limits of Cobbisecontc," "river Kennebeck," "falls at Negumkike," "towards the Western ocean," &c. by comparing them with similar expressions used in other grants, about that time, and from the best evidence they can collect; and by attending to the apparent design of the grant, and the manner in which it was heretofore understood.

The lands granted by the patent aforesaid, appear to be a tract lying between the utmost limits of Cobbisecontc, (which adjoineth to Kennebeck) toward the Western ocean, and a place called the Falls, at Neguamkike. If the boundary objects, Cobbisecontc and Falls at Neguamkike, can be found and fixt with certainty, there would be less difficulty in fixing a literal meaning, at least, to the ambiguous expressions aforesaid, and the situation of the above-mentioned lines.

There is much evidence extant of two places on Kennebeck-river, one about four miles below the mouth of the river Cobbisecontc, and one about fifteen miles above, which have

been called by the names of Nehumke, Nehumkeeg, Negumkike, and by other similar names; each of which has been fixed upon as the falls and bounds mentioned in the said patent, by different companies and interests, who have delineated the same, and laid them down in their respective plans accordingly.

At the lower place is laid down in a plan printed A. D. 1752, a stream called Nahumkee, but no falls, and at the upper place, Negumkikee-falls. In a plan, said by some to be an ancient plan, is marked, about four miles below the mouth of Cobbiseconte, a place called Nehumke. In Colonel Heath's survey made A. D. 1719, and in Jones's survey, made 1731, is noted, at the same place, Nehumkeeg. In North's survey made 1752, the same place is marked Neguamkike, or Nehumkeeg.

Thomas Johnson, in his deposition taken in perpetuam, &c, A. D. 1753, testifies, that the words Negumkikee falls, mentioned in the said printed plan, were not in the said ancient plan, but were inserted by order of one Mr Gibbs.

John Bane, October 19, 1752, aged 76 years, testifies, that in the year 1692 he was taken captive by the Indians, and kept with them seven years and ten months, learned their language, and travelled about with them in Kennebeck-river —well remembered the rivulets that run into it, and a small river or rivulet called Cobbiseconte, about twelve miles above Richmond-fort; also, that there is a place called Negumkike, on the east side of said Kennebeck-river, about fifteen or sixteen miles up the river Kennebeck from Cobbiseconte, near which place are some falls; that also on the east side of said Kennebeck-river is a place called Nehumkee, about four miles down the river below Cobbiseconte, and that Nehumkee and Negumkike are two distinct places, about twenty miles distant from each other, which several places were constantly so called by the Indians.— Taken in perpetuam, &c.

Joseph Bane, October 21, 1752, testified as above as to his captivity, travel, &c.— that he well remembered the river Kennebeck, from the mouth of it to Norridgwalk, and a place called Nahumkeeg-brook, and falls on the east side of Kennebeck, about seven miles above Swan-island; and also a place or river called or known by the name of Cobbiseconte, about ten or twelve miles above said Swan-island; also a place called by the Indians Warunskiek, being a branch of the aforesaid river, on the east side, near old Norridgwalk; he further testified, that he always understood, by the Indians and English, that Kennebeck-river was called Kennebeck to the sea or ocean, and that he understood the Indian language well; and that the mouth of Kennebeck-river was called by the Indians, Sunkadarunk, which the English call Sagadehock.— Taken in perpetuam, &c.

Jabez Bradbury, Esq. among other things, deposed, that he was one of the magistrates who took the first deposition of Bane above-mentioned — that said deposition being produced and read to Bane, he in the main approved of it — that some gentlemen present inquired of him respecting Nehumkike, said to be in the deposition fifteen or sixteen miles above Cobbiseconte; as, Are there falls? to which he answered, Near to that place is falls; and accordingly it was put down.— Taken in perpetuam, &c.

May 25, 1753.— Phillip Call, Obadiah Call, and James Collar, testified, that they had been well acquainted with Kennebeck-river for about twenty years, and well acquainted with it from the mouth up to Toconeek or Neconet-falls, about thirty-six miles above fort Richmond, and sixty two miles from the mouth of said river Kennebeck; and that they were well acquainted with all the noted places, brooks and small rivers, from said Richmond-fort up to Toconeek-falls, to wit, a small river, called Nifcumskiek-falls, about five miles above

the said fort; Nehumkeeg or Negumkike-falls, about seven miles above the fort; Cobbiseconte-river, about ten miles, &c. — that Toconeek-falls are about thirty-six miles, and that they never knew or heard of any place called by the Indians or English Nehumkeeg or Negumkike-falls, but the place above-mentioned, which is two or three miles below Cobbiseconte.— Taken in perpetuam, &c.

John Harron testified nearly to the same purpose as Call and others, as to the falls and Cobbiseconte-river.

Jabez Bradbury, Esq. deposed, as to those facts, nearly to the same purpose: and he further deposed, that Weffrumkeeg is just below the great falls Squahegon, and about ten miles below Norridgwalk; and that Bombazeen had told him, that on the east side of Kennebeck-river, opposite to Merry-meeting-bay, was the place where his uncle Baggadusset had lived. — Taken in perpetuam, &c.

May 12, 1753.— Mr. North and three other persons declared, that they had surveyed Kennebeck-river up twenty-four miles above Cobbiseconte, and that they saw no falls in Kennebeck-river for that distance; but that there are several small islands in that river, and strong current above Cushana.

By said Indian deed to Lawson, all the lands on the west side of Kennebeck-river are conveyed, from the lower or southerly end of a place called Negumke, to a place four miles above the falls at Toconeek; and also a tract of land on the eastern side of said river, from the southermost island of Neguamke to a place six miles above Teconett-falls, as above mentioned.

In the Plymouth colony's deed to Boyes, and others, all the lands described in the said patent, as also all the lands on both sides of Kennebeck-river, from Cushenock to Wesserunsett, were conveyed.

Soon after the patent was granted, the patentees, it appears, made settlements, and built a trading-house at Cushenock, which is some miles higher up Kennebeck-river than any part of Cobbisecontee river, which was out of the patent, upon the idea, that the falls below Cobbisecontee, were intended by the expression, "Falls at Neguamkike."

From the best information the Committee can obtain, from persons now living, respecting these falls, it appears, there is a place, about fifteen or seventeen miles above the mouth of Cobbisecontee, now considered as falls, in Kennebeck-river; perhaps the same that is mentioned by North, and others, under the descriptions of some islands and a strong current.

By the evidence aforesaid, it appears beyond a doubt, that about three or four miles below the mouth of Cobbisecontee, there is a place and falls called Nehumke, and by other familiar Indian names: but from the plans and depositions above-recited, or from any plans or evidence to be found, it does not so clearly appear, that there are any falls in Kennebeck-river between Cobbisecontee and Teconett-falls, heretofore called or known by the name of Neguamkike, or by any other like name. But considering the evidence above produced, tending to establish the fact, that there were no such falls between the two last-mentioned places, is merely negative, and stands opposed to the said first-recited deposition of Bane, the observations of North, and others, respecting the islands and a strong current, and to some positive evidence collected from persons now living, and acquainted with the river; but especially to the expressions of the patent, the aforesaid Indian deed to Lawson, the said colony deed to Boyes, and others, which are, though imperfectly, explained by the doings of the government, and settlements of the grantees, in the more early periods of those grants,—it may be inferred, that there were, at the time the patent was given, falls called

Neguamkike, or by some similar name, about fifteen or sixteen miles above the mouth of Cobbisecontc. As the lower falls above-mentioned, are situated rather between the northern and southern extremes of Cobbisecontc, no rational construction can be given to the words of the patent, on the supposition those falls were intended by the words in it, falls at Neguamkike; and the settlements made at Cushenock, by the patentees, must clearly have been made some miles above the patent tract. In the institution of Government at Kennebeck, under the Commissioner, Thomas Prince, A. D., 1653, it appears, the people, residing at Cushenock, were included therein, and took the oath of fidelity to the Government; which could not have been, unless they were within the lands and jurisdiction of the colony of Plymouth. The persons who claimed under the said deed to Lawson, do not appear to have extended the lands, thereby granted, any further down Kennebeck-river, than to the place where the upper falls aforesaid are placed. These facts tend to explain the original ideas of the grantors and grantees of the said boundaries, which must be considered as a necessary and a rational kind of explanation in these cases.

Another ambiguous expression in the descriptive words of the premises of the patent, respecting the Kennebeck lands, is, "the utmost limits of Cobbisecontc." These words or the expression, have been long a subject of much controversy amongst the different Companies interested in that country. —Some supposed, by Cobbisecontc is meant a river only: some, the waters and ponds adjoining to the river of that name; and some, the tract of country, including those ponds and waters. This river, Cobbisecontc, is an inconsiderable stream, taking its rise some miles to the west of Kennebeck-river, in a number of ponds which extend four or five miles, and make its general course south-easterly towards Androscoggin-river, till it comes within six or seven miles of Swan-

island; then makes its course back into the country about five miles, and empties itself into the river Kennebeck: extending southerly from the lower or southern bend or part of Cobbiseconte river, is a pond and collection of waters, quite down to Androscoggin. Now, the Committee find no evidence that those ponds, waters, or that tract of country, were ever called Cobbiseconte; except what arises from some modes of expression in the said patent, and in some Indian deeds.

The patent conveys all the lands between the utmost limits of Cobbiseconte, towards the Western ocean, &c. which words, utmost limits, seem to apply with more propriety to a tract of land that has extent and boundaries, nearer and remoter parts, than to a small stream, to which those terms are seldom or never applied.

Baggadussett, in his deed, recites, that Monquine had sold all the land from the lower end of Cobbiseconte, &c. and another sells all the land from the northermost part of Cobbiseconte, &c. which expressions improperly apply to Cobbiseconte-stream, and especially, considering the situation and form of it, and its general course from east to west: but this is a kind of evidence, perhaps of little weight, when we attend to the many inaccurate and redundant expressions and words in instruments written an hundred and fifty years ago; a kind of evidence balanced by natural supposition, that those words did not, a century and an half past, convey precisely the same ideas they now do; nor are there many instances to be found, especially among the Indians, of countries lying contiguous to rivers being named after them; and there must have been less reason for naming lands, lying in the neighbourhood of the two large rivers Kennebeck and Androscoggin, after the name of a small stream that passes through them, as in the present case, than in many other situations.

That the aforesaid stream has been uniformly called Cobbiseconte, there can be no doubt. In most of the before-recited

depositions, and in all the plans extant, the stream or river Cobbiseconte, is noted or mentioned. Wherefore, the fairest and most natural conclusion appears to be, that by the word Cobbiseconte, in the patent used, is intended the river or stream of that name; and that by the words utmost limits of Cobbiseconte, is meant the lower or southern verge, bend, or port of it, southward, or towards the Western ocean.

Fixing, then, the lower or southern bend at Cobbiseconte-river as the southern boundary of the patent tract, and the said upper falls as the northern one, between which bend the falls is a distance of about twenty miles, and between which extremes the patent tract may be supposed to lye, the literal meaning of the descriptive words of the Kennebeck patent may be ascertained with a good degree of certainty; especially, by comparing therewith like modes of expression in other instruments, from the same Council of Plymouth, and other instruments of the last century.

In making grants in the first settlements and transfers of lands in this country, it appears, in a multitude of instances, that the grantors attended particularly to the rivers, seas, mountains, and other objects or things that served as boundaries; then described and granted the lands lying within or between those bounds, or extending themselves from one bound to the other, and mentioned or described the rivers, &c. that served as bounds as lying or being towards the north, towards the east, towards the south, &c. meaning thereby, that the river or other boundary mentioned, lye northward, eastward, southward, &c, of the lands granted. An instance of this nature is to be observed in the aforesaid patent of the Old Plymouth colony, whereby all the lands are granted lying and being within or between the river Conahasset, towards the north, and the river Narraganset, towards the south, and the Western ocean, towards the east; meaning thereby, that

Conahasset-river lyes to the northward of the land granted; Narraganset to the southward, and the ocean, to the eastward. Many other like expressions are to be seen in the deeds of the same Council of Plymouth, of lands in America, and in other instruments, written in the last century. The substantial descriptive words in the premises of the Kennebeck patent, appear to be reducible to this form, to wit,—"All the lands between the utmost limits of Cobbiseconte, towards the south, or Western ocean, and the falls at Neguamkike, and extending fifteen miles on both sides of the Kennebeck-river." Suppose, then, a line to be draw over said falls, and another line over the said bend of Cobbiseconte-river, at right-angles with Kennebeck-river, and considered as the northern and southern lines or boundaries of the patent lands, the external relative objects between which the granted lands are, the words of the Kennebeck patent may have the same unforced construction, as the grant aforesaid of the colony of Plymouth; and the lands conveyed by the said Council, in the Kennebeck country, may be considered as a tract lying between a certain bound or place called Neguamkike, towards the north, or northward, and a bound or place called the utmost limits of Cobbiseconte, towards the Western ocean, towards the south, or southward of the granted lands.

But the greatest difficulty in fixing the bounds of the Kennebeck patent arises from an apparent inconsistency between the preamble, and the descriptive words of the premises.

Governour Bradford, in his history, mentions a circumstance which took place about two years before the patent was obtained, which supports, in some degree, the idea of the preamble — That some difficulties and controversies had subsisted between the people of the colony of Plymouth, and the people settled at Piscataqua, and to the eastward of them, about the trade of Kennebeck-river, that the latter and the

fishing-ships envied the trade of the former at Kennebeck, and threatened to get a patent to exclude them. In consequence of which, a gentleman was sent to England, among other things, to procure a patent for the colony of Plymouth — which was obtained accordingly; and which, in the preamble, recites, that, whereas the said Bradford, and his associates, had no convenient place for trade and fishing, after the many difficulties they had struggled with — Then follows the grant of a place at Kennebeck for those purposes. If a general trade and fishery were intended, which appear to be the ideas conveyed by the preamble of the grant, it is difficult to say, for what valuable purpose a tract of land, between Cobbisecontc and Neguamkike-falls, could be granted,— the nearest part of which to the sea, is about thirty-six miles from it. A desire so to construe this grant as to make it answer the ends of a general trade and fishery, and some expressions in the patent itself, have produced another construction of the said descriptive words in the premises, to wit, that by the words, "towards the Western limits of Cobbisecontc, or the north part thereof, towards, or to, the Western ocean. But this construction, being repugnant to the literal and more apparent meaning of the said descriptive words contained in the body or part of the deed, that must controul the preamble, ought not, the Committee conceive, be admitted, without the fullest evidence, that the design of the grant was to convey a convenient place for trading and fishing in general, and that the design of the grant must be frustrated, unless it be extended to the sea, or near to it.

By the said preamble, and the aforesaid passage recited from Governour Bradford's history, which mention trade generally, and by which passage it appears the fishing-ships were concerned in the trade of that river, and which are usually connected with foreign trade, the conclusion seems to be, that a general trade and fishery were intended.

To consider further that this was a grant made to a government, in a young and unsettled country, in fee, and to continue forever, wherein, it is reasonable to suppose, the parties looked forward beyond the temporary trade of the Indians, it appears more difficult to conclude, that an inland tract only was intended by the grant.

But the trade in fact carried on in that country for near a century and a half, tended to prove, that a particular trade was intended. No trade appears to have been carried on during that time, except in one or two instances, but with the Indians. For the most part, from the year 1645, to the year 1669, the trade of Kennebeck was rented out to Bradford, and others; and the rent appears to have depended, almost entirely, on the state of the Indian trade:— When war broke out, the rent in a manner ceased, and when peace returned, the rent was renewed. The grantees, at a very early period, built a trading house at Cushenock, a place about half way between Cobbisecontee and Neguamkike-falls.

1662, the said Boyes, and others, built a fortification at Musequoite, and were concerned in some trade at Arrowseek.

If a foreign and general trade and fishery were intended, the Committee are convinced, that the grant of an inland tract could not answer those purposes: but considering the easy navigation of the river Kennebeck, or Sagadehoc, from the sea to Merry-meeting-bay; that the Kennebeck lands were then full of Indians — at times troublesome and hostile — a situation extending from Merry-meeting-bay, or from any place a small distance above it, into the country, twenty or twenty five miles, might serve, at least, the valuable purposes of uniting the Indian, salmon and other trade of the river, with the cod-fishery and a foreign trade; and to unite the interest and strength of the grantees, necessary to carry on and protect both, in a central and advantageous manner.

Previous to the year 1639, many families settled about Merry-meeting-bay, and on the sea-coasts, near Kennebeck, or Sagadehoc-river; and many of them, probably, before the grant was made. In 1653, said Prince was commissioned to govern, at Kennebeck, with assistants, the affairs of the colony; who assembled the people at Merry-meeting-bay, to take oath of fidelity; when Atkins, who, probably, lived near Atkins-bay, Parker, and others, who, probably, lived on the islands near the sea, which now bear their names, were present, and took the oath: which place of meeting and which islands, upon the supposition the patent did not extend below Cobbiseconte-river, were out of the limits of it. But considering that, previous to this time, more extensive jurisdiction of government had been granted to the said colony, by the government and Council of state, in the time of Cromwell, so that the colony might extend its government to lands and people not within the lands granted by the said patent, but little can be inferred from this circumstance, for or against extending the grant to the sea.

Nor can much, on a careful perusal of the authorities, be inferred from the words in the patent, to wit, on each side of Kennebeck, or from the like expressions frequently to be found in the proceedings of the late colony of Plymouth, wherein frequent mention is made of their people, their estates, their trade, &c. at Kennebeck; for, though in many histories and manuscripts, written in the early settlements of that country, the river between Merry-meeting-bay and the sea is called Sagadehoc, there are as many instances wherein it has been called Kennebeck, to the sea.

In the clause in the patent, respecting the Kennebeck lands, "free ingress, egress and regress, to pass from the sea to Kennebeck-river, and from thence to the sea," is granted.—This shews, that the Company, to whom the grant was made, must pass through the territories of others, to come to their own;

for, if their grant of the lands extended to the sea, the river of course passed with them, and those words redundant; and though many redundant and unnecessary words are often used in conveyances, yet, here, these words being particularly applied to the Kennebeck, and not to the grant of the old colony of Plymouth, there cannot be so much reason to suppose them superfluous.

But, why ingress, &c. should be granted from the sea up to Kennebeck, and not up Kennebeck-river to the lower boundary of the patent, or Cobbiseconte, which is five or six miles from the mouth of Kennebeck, admitting it to begin at Merry-meeting-bay, does not appear.

There are some instances, wherein the Company have procured grants and quit-claims of the natives, perhaps the only legal proprietors of the soil, in aid and support of their patent title, of the rights of the Indians to all the lands on Kennebeck, from Wesserunsett to the lower end of Cobbiseconte; but there is no evidence, that they ever attempted to procure any deeds from the Indians of any lands below Cobbiseconte.

Further, it was intended that this grant should extend to the sea, words proper to express that intent must have readily occurred to the parties — This circumstance, of not using such words, but of using words that apparently, in their literal construction, confine the grant to an inland tract, must be a weighty reason for concluding, that it was not originally intended, that the patent should extend to the sea, or Western ocean.

The Committee are rather of opinion, that the said utmost limits of Cobbiseconte ought to be fixed at the southern bend, aforesaid, of the river of that name; but whether they are right as to this fact, is a matter of some doubt; or whether the utmost limits of Cobbiseconte, "towards the Western ocean," ought not to be extended as far down as the southermost part of the said waters that adjoin to the said river, at

the aforesaid bend, which extend down five or six miles towards Androscoggin-river.

Baggadusset, by his aforesaid deed, released all his right to the lands on Kennebeck, as far down as the lower end of Cobbiseconte; and it appears that Baggadusset lived near Merry-meeting-bay, a little below the body of said waters.

The second general question, that naturally arises in the statement of this claim, is respecting the extent of the lands conveyed by Monquine, Washemet, and other Indians, between Cobbiseconte and Wesserunsett, as confirmed by the said deed from the colony of Plymouth to Boyes and others, and by the doings of Government, and Indians, since.

Monquine, by his deed aforesaid, sold all the lands on both sides of Kennebeck-river, from Cushenock upwards to Wesserunsett, but does not mention or describe the breadth of the land sold; nor does it appear that he meant to continue the patent tract upwards, as he begins and fixes his lower boundary at Cushenock, about the middle of the patent lands.

Washemet, by his deed aforesaid, conveyed the lands on the west side of Kennebeck-river, from Neguamkike-falls to a place four miles above Teconett-falls, and extending ten miles into the woods; and all the lands on the east side of Kennebeck, from Neguamkike-falls to a place six miles above Teconett-falls; which place, as appears by the plans extant, is about two miles below the mouth of the river Wesserunsett; which lands the Company now hold under the aforesaid settlement, with the proprietors holding under Clark and Lake.

Essemenosque, by his writing aforesaid, certified, that Monquine had sold all the land from Cobbiseconte unto a place where Essemenosque then dwelt, called Usserunsett. This mode of expression cannot extend upwards any further than the words in the deed of Monquine; and the words, unto a place called Usserunsett, where I now dwell (admitting

by Usserunset is meant a country) cannot include any part of the lands of Usserunsett; for the words up to Usserunsett evidently excluded; and the words, where I now dwell, refer to Usserunsett, that is, up to Usserunsett, where, at which place, or at which Usserunsett, I now dwell; nor does it appear by this writing, how far the lands sold by Monquine, or by this writing, extend into the woods on each side of Kennebeck-river.

The conveyances of the lands between Cobbiseconte and Wesserunsett river, by the natives of the country, having been acknowledged by the General Court of the old colony of Plymouth, whose acts and doings are binding on the present government, by their aforesaid deed to Boyes and others, the predecessors of the present Plymouth Company, it is unnecessary now to inquire particularly into the forms and execution of those conveyances.

The said General Court, by their aforesaid deed, conveyed to Boyes and others, all the lands contained in the Kennebeck patent, by the same descriptive words of the premises of it; as also all the lands from Cushenock to Wesserunsett, contained in the deed of Monquine, or Natahanda.

Taking these deeds together, the question, respecting the breadth of the lands conveyed by Monquine, becomes of much less importance, especially as to the lands on the east side of the river Kennebeck.

In two or three instances, in the treaties between the government and Kennebeck Indians, the Indians complained that the English had intruded on the Indian lands; to which the government answered, that the Indians had, for valuable considerations, parted with all their lands, to the English, fifteen miles on both sides of Kennebeck, as high up as Wesserunsett; which answers the Indians did not deny, but endeavoured to evade them.— These complaints and answers are to be seen more particularly in the treaties of 1732 and 1753.

Government, also, in these instances, are said, directly or by implication, to have approved of the conveyances made by the natives.

On the third general question in this statement, to wit, What lands were there conveyed by the aforesaid deed of Baggadussett to Boyes, and others?— large interest depends. On the validity and construction of this deed depends the ownership and title to a tract of land thirty miles in length, and about twenty seven miles in breadth, mostly laid out by the Company, and in their possession, and some parts thereof settled under them.

On this point, the Committee find no facts that took place before or since the date of that writing, or any doings of the respective General Courts, that throw any light on the subject.

This question the Committee have examined, and stated under four points of view:— The title Baggadussett probably had to those lands — the validity of this writing — its efficacy as evidence of what Monquine had before sold — and the extent of the lands, if any, conveyed by it.

By the aforesaid deposition of Jabez Bradbury Esq. and from the name of a point of land near Merry-meeting-bay, called, in many plans and surveys, Abbagadasset, it appears probable, that Baggadussett lived there; from which point of land to the lands above Wesserunsett, is about forty five or fifty miles.

From the history and the modes of living amongst the Indians in this country, there can be no great doubt but that they originally held their lands as tenants in common, in a state of nature; and though they have formed themselves into tribes and clans, yet the members of those tribes still retain a common and undivided right to the lands of their respective tribes; but from the respect they have constantly had for their Sachems and Chiefs, and from long usage and custom among them, the Sachem, or Chief, has acquired a right,

founded in tacent consent, a kind of legal authority and power to dispose of the lands of his tribe or subjects, and especially with the consent of some of his principal subjects, or his counsellors.

A distinction, however, has sometimes been made, that a Sachem is considered only as a Wise Man, and a Sagamore as the first legal Magistrate.

That Baggadussett was a Sagamore, and Monquine a Sachem, son of Nattawormet, Sagamore, as they style themselves in their writings, the Committee find it no where controverted.

The lands claimed by virtue of this deed or writing, extend from the lower end of Cobbiseconte, to a place of about twenty seven miles above the mouth of the river Wesserunsett; within which limits are contained, a large tract of land, about Wesserunsett, east of Kennebeck-river, and a large tract west of it — the Norridgwalk lands, the Teconett lands; the lands about Cobbiseconte, Cushenock, Weskrong, and many other places of some note, and on which lands lived the Norridgwalk Indians, and, probably, some other tribes, among which there were a number of Sachems and Sagamores — that fact is rather confirmed by the aforesaid Indian deeds. In the year 1648, Monquine called himself Sachem of Kennebeck-river, and sold all the lands from Cushenock to Wesserunsett; to which Agododomago, son of Wasshemet, and Tasuch, brother of Monquine, consented, and Baggadussett received a part of the goods for which Monquine sold those lands.— 1653, five years after, Wasshemet sold to Lawson, part of the lands contained in Monquine's deed, consented to as aforesaid by Wasshemet's son.— 1653, Essemenosque certified, that he was one of the right owners of the Teconett lands, which, also, are contained in Monquine's deed, and partly in Wasshemet's, and that he lived at Wesserunsett — that he consented to the sale of Monquine, and received a part of the pay — that the

Indians all approved of that sale — that Baggadussett sold Teconett Lake, and the rest, against his will, but that Baggadussett had no right to it, the place being the property of Essemenosque and the wife of Watchogo.

In the sale of Baggadussett, Abonskett or Watchogo received part of the pay.— From these circumstances there appears to have been a kind of aristocracy of Sachems and Sagamores, or Chiefs, among these Indians, so far as respects their rights and powers to convey their lands: nor can it be inferred, that any one of them had a right to all the lands extending from Cobbiseconte even to the river Wesserunsett. Monquine sold the lands at Teconett — so did Wasshemet and Baggadussett; and, Wasshemet's son living, the father consented to the sale of Monquine; and Essemenosque affirmed about the same time, that the same lands belonged to him and the wife of another Indian,— and the husband, Watchogo, as having a right, received a part of the equivalent given. Now, Watchogo and his wife must have been of different families, or descended from a remote ancestor. Wasshemet sold to Lawson without the consent of the rest; whence, it is probable, he was the Chief of a distinct tribe — Monquine and Baggadussett were living, and Chiefs, at the same time, and acted as such; by which it may be inferred, from the laws and customs of the Indians, that they were Chiefs of different tribes. From all which, the most natural conclusion, the Committee think, is, that even the lands between Merry-meeting-bay and the river Wesserunsett, belonged to different Chiefs, and that no one Chief had a right to convey the whole: and as Baggadussett lived near Merry-meeting bay, probably, the presumption is, that he had no right to a large tract of country above Wesserunsett-river, some of it seventy miles distant from Baggadusset or Abbagadasset-point.— These circumstances or considerations may be a further reason for not extending the construction of

Baggadussett's deed, and for not supposing that Monquine ever sold lands so high up as twenty-seven miles above Wesserunsett.

As to the validity of the deed of Baggadussett, it does not appear that it was ever acknowledged, or the execution of it proved by the oath of the subscribing witnesses. In the year 1761, it was recorded, when the other Indian deeds aforesaid to this Company were put on record, in the county of Lincoln. The said other Indian deeds were acknowledged, or proved, 1672. This deed of Baggadussett is mentioned by the Pejepscot proprietors, 1753, when they were the opponents of the Plymouth Company, and engaged in a controversy with them; but no particular objection appears then to have been made to it by those proprietors; nor does it appear that, at that time, either the Company or said proprietors had any idea that the lands, intended by the expressions of this writing, extended further up Kennebeck river than to the river Wesserunsett; nor does it appear, by any expression or words in that writing that there was a delivery of it or that it was intended to operate wholly as a release or quit-claim deed; or that any livery and seisin, or actual possession, accompanied it. This writing, or deed, as to the lands above Wesserunsett river, must operate as a deed of bargain and sale, if it had any effect — or serve as evidence, that Monquine had before conveyed those lands — and operate as a release of any right that Baggadussett might have to the lands below Wesserunsett.

This deed can never be considered as evidence that Monquine had before conveyed the said upper lands; for had Baggadussett declared, on oath, that Monquine had sold them, it could be no evidence of the sale of lands by the laws ever in force and practised upon in this country; and such evidence must not only be of no consequence in itself, but directly against the words of the only deed found or produced

from Monquine. But this deed, as to the boundaries, misrecites Monquine's, and in a manner that might easily escape the notice of an Indian, or any one not intimately acquainted with the language in which that writing is wrote.

To the operation of Baggadussett's deed, as a bargain and sale of lands above the river Wesserunsett, there are two objections. — 1st. It recites, that Monquine has sold all the lands on both sides of Kennebeck-river, from the lower end of Cobbiseconte to the upper side of Wesserunsett, and that Baggadussett laid claim to those lands; then uses the words, "sold, enseossed, and set over, all his right, title, and interest," unto John Winslow: and though the words, sold, &c, are proper words to be used in a deed of bargain and sale, yet, when coupled with the words, "his right, title and interest," nothing more appears to be expressed, than an intention to release or quit his right in the lands sold by Monquine. 2d. The Indans, like almost all other nations who have not substituted the methods of recording their instruments of conveyance, as evidence of transferring real property, appear, generally, to have been accustomed to the making of livery and seisin, of giving actual possession, or of doing some such act of notoriety, when they transferred their lands; none of which forms appear to have been observed in this case.

In stating or examining this question, as to the extent of the lands that were intended by the expressions in Baggadussett's deed, it is necessary to inquire, what is to be understood by Wesserunsett. There can be no doubt but that there is, not far below Norridgwalk, a river called Wesserunsett, Usserunsett, Wessorunskeik, and by other similar names — it is noted in the late plans, and is mentioned in some depositions taken thirty years ago; but the Committee find no evidence, except what arises from the modes of expression in this and some other deeds, that those Indian words or names ever signified a country or tract of land — But if by these

words was intended a country, that country, deriving its name, probably, from the said river Wesserunsett, would be limited to the lands about that river, and east of Kennebeck; and therefore, supposing a tract of land is meant, it would be unnatural to include the lands under that name on the west of Kennebeck-river.

Some things to be found in the said treaties seem to confirm the idea, that the Indians had not disposed of any of their lands above Wesserunsett-river: they were told, they had parted with their lands to Wesserunsett; but nothing is mentioned that shews they had parted with them above that river.

The report of the referees aforesaid, in the cause between the proprietors holding under Clark and Lake, and the Plymouth company, which appears to consider this Kennebeck claim as extending to the northerlymost part of Wesserunsett, ought to have its weight; but that report cannot be material, or of much consequence, in the present question — for in that inquiry it was not material whether this claim extended above the mouth of Wesserunsett, or not; and therefore it may be presumed, that the referees took the upper boundary of the Kennebeck claim as it was stated to them by the party.

The laws of the old Plymouth colony, and of the Massachusetts, and the statute of the 13th of William III. have often been produced, to invalidate these and other Indian deeds; but the Committee, on a careful perusal and a fair construction of those laws, do not see their application; for, the deeds of Monquine, Baggadussett, and Washemet, in part, were of lands out of the limits or jurisdiction of the respective governments, when those deeds were given, and those laws of the separate colonies were made. And, though the law of the 18th of William III. declared, that all Indian deeds, obtained since the year 1633, of lands in this then colony, not confirmed by the respective governments, should be deemed

void; with an exception as to lands eastward of Piscataqua-river; with an exception, also, as to the lands purchased in Dukes-county, and Nantucket, from the natives, for further confirmation of the other lawful titles and possessions of the purchasers; which last clause, for further confirmation, &c. has been often extended to refer as well to the lands purchased eastward of Piscataqua-river, as in the said southern counties; which does not appear to be a just construction of that clause, especially as such a construction must give the law, as far as it respects eastern lands, a retrospective operation — an operation to avoid deeds that might originally be good, yet such declaratory clause, as it looks back, ought to be confined to the purchases made in the said counties where the said deeds were obtained against the laws then in being.

In the fixing the extent of the Pejepscot claim westerly, a material fact ought to be settled, respecting the uppermost falls in Androscoggin river, mentioned in the said deed to Wharton. This river empties itself into Merry-meeting-bay, and extends eighty or a hundred miles into the country, westerly or north-westerly: near Brunswick are falls; and about twenty miles from its mouth, are another set of falls, and near Bakerstown; and about sixty miles from the mouth, are a third set of falls, near Phipps' Canada, and as large as the former; and some small falls still further up this river. Which falls (the twenty miles falls, or the sixty miles falls) are intended by the expression, "uppermost falls in Androscoggin-river," described in the said deed of Warrumbee and others, to Wharton, is a question, for the determination of which, but little evidence is to be found.

As the lands are conveyed, by this deed, to the uppermost falls in this river, and the sixty mile falls are as large or larger than the twenty mile falls, the presumption, from this form of expression, and the usual construction of deeds in

favour of the grantees, must be, that the sixty mile falls were intended, till the contrary can be shewn. That the falls at Phipps' Canada were known to the parties to this deed, at the time it was given, the evidence is, a note in Sheppard's plan, which mentions, that an Indian fort was destroyed 1676, at a place a little above said sixty mile falls; but no authority or evidence is found by the Committee to support this note of Sheppard--Also, the depositions of two aged persons, who testified, that they travelled up Androscoggin-river about sixty miles, where they found these falls, a little above which had been an Indian town.

On the other hand, it can hardly be supposed, that the said Indians granted to Wharton a tract of land extending from the sea into the country near seventy miles, lying in a narrow tract, on Androscoggin river. In the year 1765, the next year after the Pejepscot Company lodged in the Secretary's office, by order of Government, a copy of the descriptive part of their deed from the said Sagamores, the township of Bakerstown was granted, and bounded easterly on the head line of the said Company's patent, beginning at the falls called the Great Falls, or twenty mile falls; which falls, it appears, then were understood by the General Court, to be the falls intended in the said deed to Wharton: and nothing appears to the committee that this Company made any objections to the laying out of this township, or to the said doings of the General Court. If the Company can support their claim to the lands up to the sixty mile falls, a line drawn from thence to Kennebeck, a north-easterly course, according to the said deed, they will hold the lands on the west side of Kennebeck river, much higher up than Wesserunsett. These Sagamores recited, that Purchase lived near the centre of the lands granted by their said deed, at Pejepscot: and Pejepscot being about half way between said twenty mile falls and the sea, it may be considered as circumstantial evidence of some

weight, that those twenty mile falls were the falls intended in said Indian deed to Wharton.

The last general question, respecting the quantity of lands owned by the commonwealth between the lower part of Cobbiseconte and the sea, within fifteen miles of Kennebeck, or Sagadehoc, is made material by the proposition for an adjustment, hereafter mentioned, proposed by the Company and Committee.×

Bringing or extending the patent lands as low down Kennebeck-river as the southern bend of Cobbiseconte, a tract is left, on the east side of Kennebeck, between the patent and the sea, fifteen miles wide, and about nineteen miles long; and on the west side, a tract fifteen miles wide, and about twenty-one miles long: of which, all the lands between Cobbiseconte and Swan-Alley, and extending ten miles on each side of the river, are included in the aforesaid deed to Lawson, dated 1649, which the Company hold by virtue of their settlement, aforesaid, with the proprietors holding under Clark and Lake: of which lands, also, between Cobbiseconte and the sea, the Company hold another tract by virtue of the same settlement, and partly by the said settlement with the Witchscaset Company, including all the lands east of Kennebeck or Sagadehoc-river, and between that and Sheepscut-river, except a part of Parker's-island, about eight hundred acres, according to the plans of that island.

Whence there appears to be, on the east side of Kennebeck-river, within fifteen miles of it, a piece of land of about six miles long, and four and a half wide on an average, lying south of the patent land, and east of the lands claimed under the said deed to Lawson, to which the Company make no title, upon the supposition that the patent tract extends no lower down than the said southern bend of Cobbiseconte, but which is included in the patent nearly, if it extend as low down as the southern part of the said pond of Cobbiseconte; which

piece of land of six miles by four and a half is now included in towns incorporated.

Of which tract, also, between Cobbiseconte and the sea, there is another piece of land, lying east of Kennebeck or Sagadehoc-river within fifteen miles of it, between Sheepscut and Damaris-Cotta rivers, about thirteen miles long, and three and an half wide, on an average, to which the Company also have not made any title, unless they may have title thereto under the patent; the greatest part of which lye within the township of Boothbay, incorporated A. D. 1764; and also within the claims by persons claiming under the Indian deeds.

Of which lands, also, between Cobbiseconte and the sea, on the west side of Kennebeck or Sagadehoc-river, and within fifteen miles of it, the Company make title to themselves and the Pejepscot Company, with whom they have made settlements under the said title of Wharton, to all the lands, except a tract near Maquoit, south-west of a line drawn from a point four miles west of said uppermost falls to Maquoit. This tract cannot be very large, or contain more than fourteen or fifteen square miles; and much less, if said line be drawn to the south-west part of Maquoit. This tract lyes within towns incorporated and principally settled.

In the prosecution of this inquiry, several propositions for an adjustment of the matters in controversy between the Commonwealth and the Company have been made;— from an examination of which, and from a conviction that a speedy adjustment of all matters in dispute, in the eastern country, between government and individuals and companies, must be for the interest of the state, the Committee have finally thought it best for the Commonwealth to meet the Company on the following proposition, to wit,— That the general course of Kennebeck-river shall be pursued up to the mouth of Wesserunset — that a line shall be drawn through the mouth of said Wesserunsett at right angles with the said general

course of Kennebeck-river, and extended fifteen miles into the woods on each side of Kennebeck-river — that another right line shall be drawn parallel to the said right line, passing through the mouth of Wesserunsett, six miles above it, on a perpendicular distance between said lines, and extended into the woods fifteen miles on each side of said Kennebeck-river — and that the said upper line shall be the northern boundary line of the Company's claims:— that the said Company shall release to the Commonwealth all claims that they may have to lands above the said upper line — and that the Commonwealth shall release to the said Company all claims they have to any lands between the said upper line and the sea, and within fifteen miles of Kennebeck-river on both sides of it — and that the said Company shall have, for one year after a settlement is made, the right of pre-emption to any lands within five miles of the said upper line above it.

The Committee, on the best principles and calculations in their power to adopt, were induced to think it would be for the interest of the Government to meet the Company on this proposition.—

All which is subscribed,

Samuel Phillips, jun. Nathaniel Wells, Nathan Dane.

In Senate June 25, 1785.

Read, and committed to Cotton Tufts, Esq. with such as the Honourable House shall join.

Sent down for concurrence,

Samuel Phillips, jun. President.

In the House of Representatives, June 15, 1785,

Read and concurred; and Mr. Stearns and Mr. Crafts are joined.

Nathaniel Gorham, Speaker.

In Senate, November 7, 1785.

Committed to Samuel Baker and John Sprague, Esquires, with such as the Honourable House shall join.

Sent down for concurrence.

Samuel Phillips, jun. President.

In the House of Representatives, November 7, 1785.

Read and Concurred; and Mr. Thomas, Mr. Wales and Mr. Lee are joined.

Nathaniel Gorham, Speaker.

Commonwealth of Massachusetts

In the House of Representatives January 31st 1784

Whereas it is necessary that measures should be immediately taken for securing the public property at the Post at Penobscot of late occupied by the British Troops —

It is therefore Resolved, that the Governor be, and he hereby is requested forthwith to give Orders to some Officer in the County of Lincoln to repair to the Post aforesaid, and to take into his custody all such Public property as he shall find there or thereabouts to take an exact list of all such property, and make return of the same to the Governor — and also to give Order for detaching such a number of the Militia in the said County, (if any may be necessary) as shall be sufficient to carry this resolve into execution —

Resolve further, that the Officer, who shall be appointed for the purpose aforesaid shall have allowance made by the General Court for his services and those of his Assistants —

Sent up for Concurrence

Tristram Dalton Spkr

In Senate January 31st 1784

Read & Concurred

Samuel Adams Presidt

Approv'd John Hancock

True Copy Attest } John Avery Secy

Commonwealth of Massachusetts }

To the Hon^ble^ Senate and House of Representatives of the said Commonwealth in General Court assembled

The Petition of Samuel M^c^Cobb, Humbly sheweth,

That pursuant to a Resolve of the General Court of the 31^st^ of January 1784; your Petitioner was by the Governor directed to proceed to Penobscut and take into his Custody all such public property as he should find there or there abouts. — that in obedience to the said direction your Petitioner did in fact proceed to the said place & disposed of the public property there found agreable to the same Order in doing which he was necessarily put to considerable expence and trouble in procuring a proper Vessel for the purpose in manning & victualing her and for the party who accompanied him with arms for which he therefore humbly prays that agreably to said Resolution your honors will be pleased to grant him a reasonable compensation for his service and expence in this matter & as in duty bound will ever pray —

Sam^l^ M^c^Cobb

Nov^r^ 22^d^ 1785

1784

May 12 — D^r^ The Commonwealth of Massachusetts in Acc^t^ with Sam^l^ M^c^Cobb for Proceeding to Penobscot to take possession of the Public Stores &^c^ in that place by his Excellency^s^ John Hancock^s^ Esqr^s^ Orders —

To the Use of my Schooner of 26 Tuns 12 days at 12/ p^r^ day ..... 7.4.—

To my Attendance on that Business 12 days, at 12/... 7.4 —

To 8 Men Assistants for waiges Provisions Arms and Ammunition &^c^ at 6/ p^r^ day } 28.16 — Total £43.4 —

Errors Excepted

p^r^ Sam^l^ M^c^Cobb

Commonwealth of Massachusetts

In the House of Representatives Nov^{r} 26th 1785

on the petition of Samuel M^{c}Cobb praying that he may be allowed his account for going to Penobscut by the Direction of the Governor to take care of the Publick Stores there agreabel to a Resolve of the General Court of the 31st of January 1784

Resolved that there be allowed and paid out of the treas of this Commonwealth to Samuel M^{c}Cobb Esq^{r} the Sum of thirty Nine pounds twelve Shillings in full for the Service aforesaid

Sent up for concurrence

Nathaniel Gorham Speaker

Letter from W^{m} Lithgow Esq^{r}.

Boston, 29th Nov^{r} 1785

Sir,

Having been appointed, jointly with Thomas Rice and Rufus Putnam Esquires, by a Resolve of the Hon^{ble} the Legislature of this Commonwealth of March last, to treat with the Indians of the Penobscut Tribe, respecting their claims to certain Lands on the Penobscut River, I very soon after the date of that Resolve, saw and conversed with Mr Rice upon the subject, who agreed with me that the beginning of July would be a very proper time to prosecute the business assigned us, as we were sensible the Indians must by that time have finished their spring Hunting, and would probably be returned to their settlements upon the River.

Pursuant to this idea, I took the earliest opportunity of writing to M^{r} Putnam, to whom I communicated in substance the preceding Resolution, with our deliberations thereon, but as he happened at that time to be engaged on a distant survey at the eastward, I did not receive his answer untill about the first Ult^{o}, when he informed me by Letter that my communication had reached him but a little before that time, at

Machias, but that he expected to be on the Penobscut very soon, and should be ready to attend the proposed Treaty by the middle of November; but M^r Rice and myself united in sentiment that the period mentioned by M^r Putnam was by no means eligible for the purpose of a conferrence with the Indians; both on account of the advanced, and probably inclement season of the year, which in that Country always renders the travelling extremely difficult, if not hazardous in a variety of Instances, and because we were well assured that the Indians could then by no possibility be collected together, as that would be the heighth of their season for hunting; and for these reasons we thought it advisable to postpone the prosecution of the business, to a more favorable opportunity.

These facts I conceived myself bound in Justice to the Gentlemen appointed to state to the Hon^ble Legislature, lest they might be deemed guilty of an unpardonable inattention, to the duties of their delegation.

It may not be improper to add, that during the summer past, I have frequently heared that the Indians were early apprized of, the before mentioned Resolution, and often expressed an ardent wish to meet us in conferrence upon the Subject of it; and should the Hon^ble Legislature still think a Treaty with them respecting the Lands in question, an eligible Measure, I beg leave to suggest the propriety of appointing Persons for the purpose, who, by residing not so very distant from each other may from that circumstance, be better able to embrace the most favorable opportunity of attaining the object of their appointment.

I am Sir, very respectfully

Your most obedient humble Serv^t

W^m Lithgow Jun^r

In Senate Dec^r 1, 1785

Read & sent down

S. Phillips j^r Presid^t

Re: William Webb's Letter.

Bath, July 27th 1785

Sirs

I have to acquaint you that agreeable to advice from Maj: Lithgow, I have proceeded to secure the impost on those Grindstons landed before the entry of Sloop Fanny's Cargo, & have given her liberty to depart from this port, haveg taken a small compensation for our trouble which I will pay you, any time; shou'd have come down with them but my business woud not permit.— I am Gentlemen your humbl Servt

Willm Webb

Mr John Cheslum Mr Jordan Parker Mr Godbold.

Superscribed, Mr John Cheslum
Georgetown by Mr Archibald.

The Committee to whom was referred the consideration of a Complaint against Mr William Webb Naval Officer for the port of Bath contained in a Letter produced under the hand of said Webb I have carefully examined into the matter, and find that it don't appear to your Committee he has been guilty of any willful neglect of duty in his office, but if any neglect in conducting the Matter complained off in so regular a manner as could be wished it was owing to his Unaquaintedness with Naval Matters being just after his Appointment to Office.

Petition of John Vinal in behalf of town of Fox Island.

To the Honble Senate and House of Representatives in General Court assembled.

The Petition of John Vinal Attorney for the Inhabitants of Fox Island Humbly Sheweth

That at the last Winter Sessions of the General Assembly of this Commonwealth, a Petition was presented to your Honors for the purposes therein expressed: and as the said Petition is now in the Hands of the Committee for the Sale of Eastern Lands — Your Petitioner humbly Prays that your Honours would take such measures relative theirto as your Wisdom shall dictate.— And your Petitioner as in Duty bound will ever pray —

John Vinal

Gentlemen of the Senate & Gent[n] of the House of Representatives.

By a Letter of the 23 Ins[t] from M[r] Thompson which will be communicated by the Secretary, you will be informed, Gentlemen, that his Excellency John Hancock Esq[r] has been unanimously elected President of Congress, by the Seven States then represented.

James Bowdoin

Council Chamber Nov[r] 30, 1785.

Account of fees Received as Naval Officer for the Port of Boothbay.

Dec. 14, 1785.

Sum total to £16 .. 0 .. 0

A true Coppy p[r]

Tho[s] Boyd jun[r] N. Officer
for the port of Boothbay

Richard Trevett to Thos Ivers.

York Feb^{y} 17th 1786

Sir:

Inclosed is the acco^{t} of Light money and of Fees — both of which acco^{ts} Square for the year 1785 or up to the 20th Jan^{y} 1786 which Compleats the Last Six months Return to the Secretary, I have the Pleasure to Convey this with the ball^{e} Due for Light Money by my good Friend & Brother Judge Sewall

I am S^{r} your most Humb^{l} Serv^{t}

Rich^{d} Trevett Nav^{l} Officer

Honb^{l} Tho^{s} Ivers Esq^{r} Treasurer

Fees Rec'd from R Trevitt Port of York.

Naval Office Port of York. } A True acco^{t} of Fees Received by me between the 18th of Ocb^{r} 1785 and 18th of January 1786 Viz^{t}

1785 Oct^{o} 28th For Entering Brigantine Polly Sam^{l} Sewall Master from Cape Francis, 10/ adminis^{tg} an Oath, & Indorsing on the Register 1/ & permit to unload 1/ } 0 — 12 —,

Nov^{r} 2^{d} Ditto Schooner Lark, Obadiah Donnell Master from Boston 0 — 1 — 4, 4th Ditto Schooner Polly, Will^{m} Seaward a yearly Coaster, report 0 — 0 — 6, 9th Ditto Schooner Sally, Nath^{l} Parsons for the Eastward, a Cocket 0 — 1 — 6, 25th Ditto Sloop Speedwell, Tho^{s} Harmon Master from Cape Francis — Entering 10/ adminis^{tg} a Oath & Indorsing Register & permit 2/ } 0 — 12 —, 28th Ditto Sloop Lively, Donnell & sloop Abigal, Zeb: Harmon jun^{r} — 2 Certificates for Light Money — @ 1/ } — 2 —, Dec^{r} 3^{d} Ditto Schooner Twofriend, Jeff^{n} Mushemore, Cleard for Boston 0 — 2 —, — a Certificate for Light Money for 6mo while a fishing —0—1—,

13th Ditto Schooner Polly Cleard for Connecticut Solomon Varrell master } 0—4—0

1786 Jany 12th Ditto Sloop Speedwill, Thos Harmon master Cleard for W: Indies & Certificate for Light mo } 0—11— Total £2—7—4 the above is a True and accuret accot of all the fees which I have Received in my office to the best of my Knowledge to this Date attest

Richd Trevett Naval Officer

Dated at York January 20th 1786—

York Ss Feby 7th 1786 Then Richard Trevet made Oath to the Truth of the above Act up to the 20th January last

Before me

David Sewall Jus Peace.

Certificate of James Lunt Jr.

Falmouth January 27th 1786.

This May Certify: That some time in the month of September, 1784, The Widow Mary Ellis left in my keeping Two Consolidated State Notes (so called) One Note being in the sum of Sixty two pounds two shillings, & two pence; the other Note being in the sum of Thirty five pounds twelve shillings & six pence—(both Issued in her Name & then her Property) That said Notes was put into a small Draw in my Desk; where was no other papers That a few days after, a Small Girl pick'd up the smallest of Said Notes in the Street, & it was delivered to me; I went Immediately to the Desk, & found that the other Note was gone, I could not conceive how these Notes could be taken out of the Desk & Lost in the Street; but upon Inquiry; was informed by my Wife, That She went into the room the day before and saw two small

Boys at the Desk, (the keys having accidentally been left in, & the desk unlock'd) She Ask'd them what business they had there; & lock'd the Desk, but did not perceive that they had taken any thing out; (these Boys were her Sisters Children who went to School, and living at some distance therefrom, often came to the house between Schools;) & that the Boys immediately set of home; & did not stay for their Dinner as Usual or go to School in the afternoon; That it was Observed about this time, that these Boys were very busy about making Kites; & picking up all the waste paper they could find, And I verily believe, that one of these Boys took said Notes, out of the Desk for that purpose, not knowing their value, and lost the one that was found in the Street, and perhaps the other (or tore it up about their kites) and it might be trod into the mud or blown away, as it was very rainy windy weather, and the note that was found was very wet & torn;— That I soon after Checkt said lost Note at the Treasury Office, And Advertised it in The Falmouth Gazette, for three weeks; but it hath not as yet been found.—

James Lunt Jun^{r}

Cumberland Ss Falmouth January 27th 1786

The within named James Lunt Jun^{r} Esq^{r} personally appeared and made Oath to the Truth of the within Declaration by him signed

Before me

Sam^{l} Freeman Just Peace

Petition of Mary Ellis of Falmouth.

To the Honorable Senate and the Honorable House of Representatives of the Commonwealth of Massachusetts — in General Court assembled —

The Petition of Mary Ellis of Falmouth in the County of Cumberland — in said Commonwealth Widow humbly shews —

That on the first day of February A. D. 1783 she received from the Treasury of said Commonwealth, a consolidated note for £62 — 2 — 2, in lieu of two Depreciation Notes which before that time were given her for part of what was due to her late Husband Paul Ellis who was a Captain in Coll. Bigelows Regiment — and who was killed at the Battle of Monmouth — That some time in October last she unfortunately lost said consolidated Note (nine months Interest then having been paid upon the same) — That this was the greatest part of what was due for her late Husbands Services & it would be hard for her to lose it — The Circumstances which attended the Loss of it will be related to your Honors by Joseph Noyes Esq^{r} a member of the Honorable House — and she doubts not will be satisfactory evidence of the Fact

She therefore requists that your Honors would direct the Treasurer aforesaid, to give her a New Note in lieu of it — and as in duty bound — she will ever pray

Mary Ellis

Falmouth Feb^{y} 9th 1786

Petition of Town of Machias.

To the Honorable Senate & House of Representatives of the Commonwealth of Massachusetts in General Court Assembled —

The Petition of the Town of Machias Humbly Sheweth

That the Eastern part of the County of Lincoln labour under the greatest inconvenience & distress by reason of the

largeness and extent of said County and the Distance they consequently are from the Shire-Town which is above two hundred & twenty miles from this Place — Some time past the honorable Court were pleased to take the matter into their Consideration and granted us relief so far as to Sett off "that part of the County of Lincoln Eastwards of Union River" a Seperate district, so far as regards the Court of Probate & Register of Deeds, but did not at that time think proper to Establish a Court of General Sessions of the Peace & Court of Common Pleas —

We experience great relief & are free'd from a considerable expence by having the Court of Probate & a Register of Deeds, but still lay under the heaviest part of the Burden, by being obliged to attend the Courts at Pownalboro' both in Civil & Criminal Cases. we therefore beg leave to call your serious attention to our situation while we give a true State of Facts, and offer some few reasons in support of our request — To Shew it will not only be serviceable to this district but beneficial to the Commonwealth to grant it, and that this place will be most suitable for the Shire town Machias is the first settlement to the Westward of Passamaquoddy and there being many Refugees lately settld there, in case there should be any dispute between them & the Citizens of America, Machias would be an Asylum for the distressed Americans — Where they coud find immediate assistance and support — and as many of the Refugees that are settled at Passamaquoddy and other parts of New Brunswick will find it difficult to get Employ in that Province, they will Naturally seek it this way & perhaps many of them have led vicious lives, may be & are often guilty of Theft, house breaking, assaults & other enormities which deserve exemplary punishment, but must escape with impunity, if no relief is granted — for to prosecute any crime at Pownalboro' (distance more than 200

miles) wou'd almost ruin the Prosecutor if he is in comfortable circumstances, and in Case of a commitment it must first fall very heavy upon the Civil officers and finally on the County for persons who are guilty of Crimes of that Nature are seldom able to pay small charges much less such an enormous sum as must arise in that case — in all Civil Actions in this district the Sheriff charges nearly 64/ for travel to Pownalboro' which is very distressing to the Inhabitants more particularly so in a County where Money is so difficult to be obtained

By Erecting this district into a Seperate County many of those difficulties wou'd be removed, which wou'd encourage settlers to come into the Country and raise the Value of the Lands belonging to the Commonwealth —

During the late War between Great Britain & the United States this district exerted itself to the utmost in defending the County against the Enemy & since the Peace have continued loyal to the Commonwealth and have not taken any part toward dismembering the same —

We therefore Humbly pray that you will be pleased to take our situation into your wise consideration and be pleased to grant us relief by erecting this Eastern District into a seperate County by the Name of and shou'd the Honorable Court grant our Request we must further beg that you will be pleased to make Machias the Shire Town of the County (as it is now of the district) it being near the Centre (about 45 miles from the River S^{t} Croix the Eastern boundary and 55 miles from Union River the Western boundary) and also being the most Suitable place of any in this district the Inhabitants living more Compact where Strangers cou'd get Entertainment, we have a Meeting House that wou'd for the present serve for a Court House & the Block House cou'd be turn'd into a Goal which will prevent putting the District at any additional expence at this Time which they are so

little able to bear — And your Petitioner as in Duty Bound will ever pray

Stephen Jones,
Ja^{s} Avery,
David Longfellow,
George Stillman
Committee

Whereas the Town of Machias petitioned the Gen. Court of this Commonwealth, that, that part of the County of Lincoln Eastward of Union River might be set of a Seperate County for reason fully set forth in said Petition. we the Inhabitants of Passamequodia do hereby fully approve of said request being absolutely necessary for the good of the Commonwealth in General & this part of the County in perticular —

Clement Huckings,	Stephen Fontain
Sam^{l} Russell,	Caleb Boynton
Jas Morgan,	Tho^{s} Dexter,
Lemuel Wescott,	Nath^{l} Denbo,
Jm^{s} Currey,	James Cochran,
Samuel Huckings,	Lew^{s} Fra^{s} DeLesdernier,
Jn^{o} Crane,	W^{m} Cooper jun^{r},
William Crow,	W^{m} Holland
John M^{c}Guire,	Hatewill Laighton,
George Peek,	Caleb Boynton jun^{r},
Sam Tuttle,	Joseph Clark,
John Prout,	William Clark,
Clement Denbow	Nathaniel Clark.

Whereas the Town of Machias has petitioned the Hon^{ble} the Gen^{l} Court of this Commonwealth that the Eastern District in the County of Lincoln might be Elected into a seperate

County — we the Inhabitants of Pleasant River Township, do hereby fully approve of the measure as being of the utmost service to the District freeing the Inhabitants from the many difficultys in attending the Courts at Pownalboro' in Civil & Criminal Causes — & woud be beneficial to the Commonwealth in General —

Pleasant River May 24th 1786

Daniel Merit, Francis Yates,
Samuel Coffin,

Committee in behalf of the Town

Whereas the Eastern District in the County of Lincoln (we are informed) have Petition the Genl Court of this Commonwealth that a new County may be Erected in the sd Eastern parts — and it being also proposed that it wou'd be benificial to have this County divided into three, that is to have a middle County set of making Penobscott the Center of the same — we the subscribers do give it as our opion the same woud be very benificial to that part of the Country if numerous enough able to bear the Expence & free them from a great expence & Trouble in attending the Courts in the upper part of the County where they are held

Jas Avery	Nathl Thwing
Wm Lithgow Junr,	Jim Langdon,
Wm Lithgow,	Waterman Thomas,
Tho Rice,	Jonas Bowman,
James Howard,	Edmd Bridge
Joseph North,	Henry Dearborn

At a Legal Meeting of the Inhabitants of the Town of Machias on Monday the Eighth day of May 1786 Voted

That this Town make application to the General Court to erect this Eastern District into a seperate County and make Machias the Shire Town — And that a Committee be appointed to petition the Honourable the General Court in behalf of the Town and that the Hon^{ble} Stephen Jones Esq^{r} James Avery Esq^{r} Col^{o} George Stillman Cap^{t} David Longfellow & M^{r} William Tupper be said Committee Allso Voted

That the said Committee apply to the Hon'ble Caleb Davis Esq^{r} & Benjamin Hichborne Esq^{r} to assist them in bringing forward their aforementioned application to effect

A True Copy Attest

Ralph H Bowles
Town Clerk

Petition for the Regulation of Fishery on Saco River.

To the honorable the Senate & House of Representatives in general Court assembled —

Humbly shew, the Inhabitants on Saco River, that the Salmon and other fish which annually come up said river to spawn, are of great Benefit to your Petitioners; and that there is great danger of their being destroy'd, by the constant catching of them not being regulated. therefore your Petitioners humbly pray, that your Honors would pass an Act to regulate said Fishery as in your Wisdom shall seem best. And your Petitioners as in duty bound shall ever pray &^{c}

Richar^{d} Jordan
Benj^{a} Hooper,
James Emery,
Samuel Seamman,
Humphry Pike

Pet of Jas. Avery.

To the Honourable Senate & House of Representatives of the Commonwealth of Massachusetts in General Court assembled

The Petition of James Avery Humbly Sheweth That by a resolve of the General Court passed July 1785 lands were granted to Jonathan Eddy Esq^{r} & several others who were (by reason of their attachment to the United States) obliged to leave Nova Scotia during the late War, & take protection in this Commonwealth, Your Petitioner is not included in the Names mentioned in the said Resolve, altho' he was one of those who came with said Eddy, (& has equal & as just claim with the others) & on his arrival within this Commonwealth immediately enter'd into the Service and continued in the same nearly the whole continuance of the War, for which he only received his "Nominal Pay without any Gratuity, Commutation on Lands, as those belonging to Ten Regiments that belonged to this Commonwealth in Continental Army receiv'd — Your Petitioner therefore prays the Hon'ble Court will be pleas'd to take his Case into Consideration & be pleas'd to grant him a small Tract of unappropriated Land adjacent to Machias, under such regulations as Your Wisdom may think fit, and as in Duty bound will ever pray

Ja^{s} Avery

Petition of William Hagget.

To the Honorable Senate and the Honorable House of Representatives of the Commonwealth of Massachusetts — in General Court assembled —

The Petition of William Hagget late of Somersetshire in Great Britain, and now residing in Falmouth in the County

of Cumberland and Commonwealth aforesaid Trader humbly sheweth —

That he came to this Country from Great Britain aforesaid. about the 23^{d} of November 1784 — That he has since purchased a Freehold in said Falmouth and intends with your Honors Permission to abide in the Place of his present Residence and therefore wishes to be naturalized and become intitled to the Rights Liberties and Privileges of a free Citizen of the Commonwealth aforesaid — He therefore prays that your Honors would pass an Act by which these Benefits may be conferred upon him — And as in Duty bound will pray —

W^{m} Haggett

Falmouth May 1786 }

Petition of Inhabitants of Shapleigh.

To the Honorible Sennet & house of Representatives in General Corte Convend

We the humble Petitioners Beg Leve to Present there Petition to your Honors Humbly shewing y^{e} Subscribers inhabetants of the town of Shapleigh and whereas y^{e} town of Lebenon has Esesed y^{e} afore s^{d} town as ajasents and for their Non aQuaintance of y^{e} Nonber of the inhabitants and have Laid the Burden on about one thirde of the inhabitants We therefore beg that your Honours Would impower y^{e} before mentioned inhabatents to Essesed the Sum upon the hole of the Rateble inhabetants So the Burden be not So Hevy for them Few alredy Essesed are not able to Pay y^{e} Sum all the roun Stock will not Pay the Sum We therefore beg that

your Honours would take it into Considration and your Petitioners will for Ever Pray &c

Thomas Dolac,
John Woodman,
Ralph Farnham
Benjamin Drew,
Levi Menele,
Richard Dooer,
Selias his X mark Door,
Peter Door,
Nicholas York,
Samuel Merrey,
Samuel bean,
Ephram Goodwin,
Gershom Ricker,
Daniel baird,
Ephram Plumer,
Samuel Willey,
Joseph Merrey,
Clemet Heal
Benj Cimin,
Steven belby,
Jacob Horsom,
Paul Woodman,
Samuel Shorey,
Paul Downs,
Richard Door Jr,
Nathan Nooks,
Moses Corsen,
James Doans,
Josiah Magoon,
Edward Magune,
John Vose,
Philip Tibets,
Ruben Winlord,
Benja Shorey

Valuation of Counties in 1786.

At a Meeting of the Members of the General Court from the several Towns in the County of York for the purpose of considering at what Rate each Town & Plantation ought to stand in the Valuation it was agreed that the same should stand as follows Viz

York —	6 .. 4	Massabesick	— 15 .. 0
Kittery	6 .. 9 .. 1	Coxhall	1 .. 0 .. 0
Wells	5 .. 10 .. 6	Limerick	9 .. 0
Berwick	8 .. 14 .. 3	Brownfield	— 6 .. 0

Arundel	2 .. 16 .. 0	Little falls	12 .. 0
Biddeford	2 .. 9 .. 0	Shapleigh	1 .. 2 .. 1
Pepperelborough	2 .. 5 .. 0	Little Ossipee	13 .. 2
Lebanon —	1 .. 10 .. 9	Washington	7 .. 0¾
Sanford —	1 .. 10 .. 9	Parsonfield	1 .. 1 .. 0½
Buxton	1 .. 19 .. 0	Francisborough	7 .. 0½
Fryburge	— 19 .. 0		

£46 .. 19 .. 8¾

The County of Lincoln agree that the four pence on the pound (as a sinking fund) return to the Several Towns from which it was taken. And that the several Sums be allowed to the Several Towns as in the Schedule below —

2 ..	19 –	7½	Pownalboro'	— 0 ..	3—
2	14	5	Georgetown	to be added	7/11
1	11	1½	Woolwich		
1	8	8	Waldowboro'	2 ..	3
1	4	10	Topsham	2 ..	3
	13	3½	Winslow		
1	0	½	Bowdoinham		10
1	7	10¼	Boothbay	2 –	4½
2	7	8	Bristol	2 –	4½
1	9	6½	Vasselboro'		
1	3	1½	Edgecomb	1 ..	2¾
1	11	6½	Hallowell		
	17	5¾	S[t] Georges		
	14 –	10½	Warren	1 ..	2
	13 –	7½	Thomastown	1 ..	2
1	13	2½	Bath		
1	1	9½	Winthrop	1 ..	1½
	11	7	Lewistown	1 ..	1½
	11	4½	Ballstown	1 ..	1½
	13	½	Walpool	1 .	1
	6 ..	5	Wales		

	11	4¾	Canan			
	19	½	Pittstown			9½
	11	8¾	Medencook			5½
1	8	8¼	Newcastle		1 ..	5½
	6	6½	Camden			4
30 ..	12 ..	6¼	carried over		1 – 4 –	1¾
			Brought over	£30 ..	12 ..	6¼
Norredgewalk					7 .	9
Sterlingtown					4 .	4
Machias					1 . 0 .	2
Bellport					5 .	2
Hancock					10 .	7½
Mount desert					15 .	3
N° 1 Plantation East Penobscot					6 .	9
N° 2					7 .	4½
N° 3					1 . 2	9¾
N° 4					12 .	–½
N° 5					10 .	4¾
N° 6					10	4¾
N° 1 East Side Union River					12	4¾
N° 2					11	3¾
N° 3					8	1¼
N° 4					4	10
N° 5					10	1¾
N° 6					7 .	10½
N° 22					4 .	1
Plantation West Side Penobscot					10 .	7
Plantation on d°					8 .	10¾
Deer Island					1 . 2 .	1½
Fox Island					12 –	9½
Long Island					7 .	10¼
				£43 ..	6 ..	3¼

Cumberland Co.

	£	s.	d
Falmouth	7	11	7½
N Yarmouth	5	2	0
Scarborough	4	12	1
Brunswick	2	2	6
Harpswel	1	16	0
C Elizabeth	2	6	6
Gorham	3	6	0
Windham	1	13	6
N Glocester	1	19	0½
Gray	0	14	7¼
Hardwick	0	19	6
Royalsborough		14	0
Raymontown		6	6
Bakerstown		10	8½
Sylvester		9	11¾
Brigtown		8	5¾
Sheperdstown		8	3
Otisfield		6	
	£36.	5.	5¾
		18	2½
	£35.	7.	3¼

Collectors Names	Towns			
Joseph Hubbard	Wells	15	5	2
Samuel Gooch	d°	99	17	4
Jonathan Hill	d°	117	13	8
Moses Hodgdon	Berwick	73	19	11
Benj Hodgdon	d°	65	13	7
Humpʸ Chadburne	d°	377	9	10
Mark Baker	Arundell	99	0	0

Seth Burnham	d°	82	4	4
Abraham Bradley	Fryburgh	46	11	4½
John Emmons	Coxhall	35	3	4
Isachar Dam	d°	46	10	0
Joshua Pray	Lebanon	147	15	0
Moses Ames	Fryburgh	77	9	11
On Continental N° 2		1151	16	2½
William Jefferds	Wells	310	4	5
Joseph Hubbard	d°	250	10	8
Jonathan Hill	d°	242	1	4
Samuel Gooch	d°	247	3	7
Nath[l] Rogers	Kittery	303	0	0
Noah Staples	d°	331	7	2
Hump[h] Chadburn	Berwick	573	16	8
Isachar Dam	Coxhall	64	0	0
John Emmons	d°	56	0	0
Seth Burnham	Arundell	219	11	1
Mark Barter	d°	260	8	11
Hump[h] Whitten	Sandford	112	4	7
Moses Ames	Fryburgh	71	10	0
Abraham Bradley	d°	61	10	0
Samuel Clark	York	304	3	9
On State Tax N° 3		3407	12	2
David Thomas	Biddeford	113	16	11
Gilbert Warren	Berwick	460	10	0
Robert Wells	Wells	154	6	6
Stephen Annis	d°	146	19	5
Gold & Silver Tax 1780		875	12	10
James Witherell	Lebanon	65	2	11
	Total	10,453	3	7½

Thomas Ivers Treas.

Treasury Office 8 Febru[y] 1786

Letter from E Storer.

Boston, June 15th 1786.

Sir

Agreably to a desire of the Committee I enclose a memorandum of Grants in the new Townships — the reason you did not have it with the other papers was, because there was a Committee of the Corporation appointed to represent that matter to the General Court by way of Memorial.—

I am Sir with much respect, Your humble servant

E. Storer

P. S. I would just observe, perhaps it may not be thought foreign to the purpose that the Ferry wh has been reckoned a valuable Income has not earned from the year 1775 to the present time but about £350 owing to the rents being recd in paper money & the great expence in repairing length of boat & widening the way &c —

James Bowdoin Esqr

Receipt of John Wigglesworth.

1783

July Recd a Warrant on the Treasurer in part £105

1784

July Recd a Warrant in full to Jany 1 — 233.7.8 Total 338.7.8

The Warrants were for Services from 1 June 1781, being 2 years & 7 Months

L. Wigglesworth

County of York

York, John Sweet, Esq; Kittery, Mr Joshua Hubbard, Wells, a Col. Noah M. Littlefield, Berwick, John Hill, Esq; Biddeford, a Jeremiah Hill, Esq; Sanford, Major Caleb Emery.

Acc^{t} of Grant of Lands to the College.

The following minutes of reservation in sundry Townships for Harvard College were taken from the Records of the General Court, by James Winthrop, Librarian, who searched them from May 1759 to May 1774 excepting the Volume from June 1768 to May 1769 which was missing.—

One Sixty fourth of a Township six miles square between Penobscott & S^{t} Croix, granted to David Bean & others.—

One Sixty fourth of three Townships, each six miles square, contiguous to each other & to some incorporated Towns between Penobscott & S^{t} Croix, granted to Moses Twitchell & others.—

One sixty fourth of six townships each six miles square contiguous one to another & to some former Grants between Penobscott & S^{t} Croix, granted to David Marsh & others

One Sixty fourth of a Township six miles square between Penobscott & S^{t} Croix adjoining to some former Grants granted to Eben^{r} Thorndike & others.

One Sixty fourth of a Township six miles square between Penobscott & S^{t} Croix adjoining to some former Grant granted to Wait Wadsworth & others,—

One Sixty fourth of a Township six miles square between Great Ossapee river running into Saco River & the Mountains above Pigwackwacket, Granted to Joseph Frye.—

One Sixty fourth of a Township seven miles & ½ square in the unappropriated Lands east of Saco River Granted to Samuel Gerrish & others

One Sixty fourth of a Township seven miles square east of Saco River, granted to Benj^{a} Milliken & others, the east corner bounds on Col^{o} Fryes Town.

One Sixty fourth of a Township seven miles square Narragansett N^{o} 5 granted to John Gorham & others.

One Sixty fourth of a Township six miles square east of Saco river, granted to Joseph Sylvester & others.

One Sixty fourth of a Township six & three quarters miles square east of Saco river, granted to W^{m} Raymond & others.

One Sixty fourth of a Township now called Townsend or Northtown, seven miles square, east of Saco river, granted to James Prescott & others.

One Eighty fourth of Machias granted to Ichabod Jones & others, described as follows, beginning at a dry rock at a place call'd eastern Bay near the house of M^{r} Sam^{l} Holmes & extending North 10°, W. ten miles, then West 10°, S. eight miles, then S. 10° E. ten miles then E. 10°, S. eight miles to the first mentioned bound^{y}

One Eighty fourth of Township Six & three quarter miles square, adjoining to the same Town east of Saco River granted to David Phips & others.

One Sixty fourth of Township Six & one quarter miles square, adjoining to some former grants east of Saco river, granted to Joshua Fuller & others —

One Sixty fourth of a Township six & three quarter miles Square, east of Saco River adjoining to some former grant, granted to Sam^{l} Livermore & others.

One Sixty fourth of a Township seven miles square East of Saco River adjoining to some former grant granted to James Otis & others.

One Sixty fourth of a Township seven miles square east of Saco River adjoining to some former Grant granted to John Gardner & others.

N. B.— Some of these Grants were since the war confirm'd to the original Proprietors.— without the reservation to the College.

Nath[l] Green Moodys Petition.

To the Hon[ble] the Senate and Hon[ble] House of Representatives of the Commonwealth of Massachusetts in General Court assembled at Boston February s[st] 1786 —

The Petition of Nathaniel Green Moody Humbly Sheweth

That your Petitioner was an inhabitant of Falmouth in Casco-Bay when that Town was burnt on the 18[th] October 1775, that he lost his House and many valuable Articles, by which means he was reduced to distressing Circumstances — and further, your Petitioner was Clerk of said Town, and being determined at all events to save the Records, (which he effected) neglected saving his own Effects, which greatly added to his Distress; and as the office of Messenger to your Honours is become vacant by the Death of M[r] Baker your Petitioner prays that he may be appointed to said Office in his Room & he will, as in Duty bound forever pray

Nathaniel Green Moody

In Senate Feb[y] 1, 1786.

Read and order'd that this Petition be sent down for concurrence

dismissed

Petition of Suncook Inhabitants.

To the Honourable the Senate and House of Representatives in General Court assembled at Boston Feb[r] 1[st] A: D. 1786 —

The Petition of Sundry of the Inhabitants of a Tract of Land lying in the County of York Granted by the General Court as a compensation to the sufferers in the Pembroke (alia Suncook) Lands being taken off to New Hampshire in the running of the line between the three Provinces —

Humbly Sheweth

That your Petitioners some few years back came into this Inhospitable Wilderness to Cultivate the same that it might yield food for us & our Familys and with much dificulty & great hardships have hitherto subsisted being at a great distance from any Sea-port And having ten or Twelve Miles to go in a very bad way and a large River to cross to get grind or meal for our Families for altho the Proprietors have built a Mill or Mills yet by reason of the Dam breaking or washing away two Falls running we have had no benefit thereby as yet And as an addition to our other hardships the Inhabitants of Fryeburge have for several years past assessed us in an heavy Tax and threaten to take away the small number of cattle we now possess which would compleat our Ruin —

Your petitioners therefore Humbly Pray that your Honours would abate our Rates or in some way relieve us as you in your Wisdom think fit —

And your Petitioners as in duty bound shall ever Pray

John Stearns, Joseph Kilgore, Stephen Dresser, Joshua Whiting, Abraham Andrews, Benjamin Stearns.

Petition of Jonathan Powers.

Commonwealth of Massachusetts } To the Honorable the Senate & House of Representatives in General Court Assembled Feb^{y} 1786 —

The Petition of Jonathan Powers Humbly Sheweth — That your Petitioner was in the Continental Army in Cap^{t} Jabez Lanes Company & in Col^{o} Tho^{s} Nixons Regiment & your Petitioner applyed for the ballance due to him for said service & there found that it was drawn & Paid to some other Person without any Knowledge or Consent to the Ammount

of fifty five Pounds, Seventeen shillings & 3^{d} Pence in Specie note^{s} — Your Petitioner therefore humbly Pray your Honors that he may have Justice done him by ordering the said Money Paid & your Petitioner as in duty bound will ever Pray

Jonathan Powers

Jon^{a} Powers a Serg^{t} in Col^{o} Nixons Reg^{t} was Certified May 16, 1782 for 28 — 19 — 9 Specie

Lincoln Ss January 26th 1786 personally appeared the above named Jonathan Powers & made oath to the truth of the above petition by him subscribed

Before me

Tim Langdon Jus^{s} Pacis

Specie Notes paid to John Bailey of Newbury Newhampshire State 31 .. 7 . 6.

We the Subscribers of Lawfull age Testify & Say That we have well Known Jonathan Powers a Number of years, and he always appeard to us to be an Honest Punctual man — and we never heard any harm of him in any Respect. Said Powers has lived in the Town of Pownalboro.' ever Since the peace — and we have often heard him Say that he was like to lose his wages, by reason of Some persons Counterfeiting his Name & Drawing his wages which he said was very hard as he had served the United States four years in the Army

John Sevey, Joseph Harfard, Abraham Nason

Lincoln Ss. Pownalborough June the 1, 1786 —

Personally appeared the above Named John Sevey, Joseph Harfard & Abraham Nason, and made oath to the truth of the above Deposition — before me —

Moses Davis Justice of Peace

Treasury Office July 3d 1786

it appears by the Rolls in this office that the depreciaⁿ notes that were due to Jonᵃ Powars Sergᵗ in Nixon Regᵗ was drawn by Aaron Wood pʳ order amᵒ in OC 1437 .. 8 .. 11 the Specie Notes due to the above named was drawn by a John Bayly or Bagly of Newbury in Newhampshire State Specie notes including present premˢ & one years Interest amount to thirty one pounds 17/6

Attest Samuel Foster

Certificate in re Francis Hatch.

This certifies that Francis Hatch Junʳ of Wells was a Soldier or Noncomission Officer in the Compʸ commanded by Capᵗ Samuel Sayer decᵈ in the year 1776 that he returned from his Captivity in the Month July 1777 that according to his Account he lost his Gun & Cloathing was carried to Canada from thence to Nova Scotia that he suffered great hardships untill his Return to Boston that he never received any Compensation for his Loss nor any Wages after the first day of January 1777 so that there still remains due to him about Fifty Dollars as Wages besides Compensation for losses which Account as given by him We believe to be true he being a poor honest man

Joshua Bragdon, John Stover } Select Men of Wells

Wells Janʸ 26th 1786.

Commonwealth of Massachusetts

In Senate March 3rd 1786

Whereas it appears to this Court that Francis Hatch Junʳ of Wells in the County of York who was a Sergeant in the

continental Service in Cap^{t} Samuel Sayer's Company in Coll^{o} John Pattersons Regiment, was captivated in the year 1776 by the Indians at a place called the Ceders & thence carried to Quebeck & that he received Wages no longer than untill the End of that year tho' he remained in Captivity untill the 7th day of July 1777 therefore

Resolved that there be allowed & paid out of the publick Treasury of this Commonwealth, to the said Francis Hatch Jun^{r}, the sum of Fifteen pounds, in full for Wages during his Captivity, & that the sum be charged to the United States.

Papers endorsed: M^{r} Wells to bring in Resolve provid^{g} for payment of Wages March 24th 1786 Refer'd to next Gen^{l} Court.

July 8, 1786 Refer'd to next session

Francis Hatch Jun^{rs} Memorial.

To the Hon^{ble} Senate & House of Representatives of the Commonwealth of Massachusetts in general Court assembled Feb^{y} 1786

The Memorial of Francis Hatch Jun^{r} of Wells in the County of York humbly shews that in the year 1776 he enlisted into the Continental Army to serve in the Company under the Command of Cap^{t} Samuel Sayer dec^{d} in Coll^{o} John Pattersons Regiment that in the month of May in the same year Your Mem^{o} was captivated by the Indians at a place called the Ceders & thence carried to Quebec when he remained above Six Months & from thence was sent to Halifax & from thence to Boston where he arrived on the 7th day of

July 1777, that he lost his Cloaths Fire Arm & other Accoutrements of the Value of Fifteen pounds, that your Mem° never received any Compensation for his Loss sustained as aforesaid neither did he receive Wages any longer than untill the first day of January 1777 so there still remains due to him Wages for Six Months & seven days, which as your Mem° was a Sergeant will amount to Fifteen pounds, that your Petitioner suffered great hardships, during his Captivity & is a very poor Man Wherefore your Mem° prays that his Case & Circumstances may be considered by the Legislature & that a reasonable Compensation may be granted him for his Loss Sufferings & Services & your Mem° as in duty bound will ever pray &c

Francis Hatch Jun^r^

In Senate Feb^y^ 2^d^ 1786

Read & committed to Joseph B Varnum Esq^r^ with such as the Hon^ble^ House shall join, & the Committee are directed to consider the cases of persons in similar circumstances & Report

Sent down for concurrence

Sam^l^ Phillips jun^r^ Presid^t^

In the House of Representatives Feby 20, 1786

Read and concurred & M^r^ Hutchinson & M^r^ Patterson are joined.

A Ward Speaker

This may Certifie that M^r^ Francis Hatch Ju^r^ was a Sergent in Cap^t^ Samuel Sayer Company and Con^l^ John Pattison Ridgment was taken a Prisoner at the Seaders in the year 1776 May 20

Jeremiah Littlefield 3^d^ Lieut.

Commonwealth of Massachusetts

The Committee to whom was refered the Petition of Francis Hatch Jun^{r}, & who were directed to consider the case of Persons in Simelar circumstances, have Attended the Service Assigned them, and find that Provision has been made by Congress for the payment of the Wages of such Officers & Soldiers as have been Prisoners in the course of the late War; that no Provision has been made for compensating Officers & Soldiers for losses they have Sustained in Clothing &c in consequence of their being Captivated by the enemy & in Battle; and as it would be exceeding unequell that such Losses should be payed for by this Commonwealth, without a reimbursement thereof by the United States; Your Committee take leave to Suggest the Propriety of requesting His Excellency the Governor, to Write to the Delegates from this Commonwealth in Congress, informing them that it is the Pleasure of the General Court that they Lay the matter before Congress, and use their endeavour that Provision be made to compensate for such Losses.

J B Varnum P^{r} Order

all which is Submitted

In Senate March 2^{d} 1786.

Read & accepted

Sent down for concurrence

Treasurers Letter to E Bridge Esq^{r} Sheriff of Lincoln County.

May it please your Honors

The Treasurer begs leave to represent — That Edmund Bridge Esq Sheriff of the County of Lincoln has adjusted his account of Executions against Delinquent Collectors in the said County — by which it appears, That the Executions against the following Collectors, remains due Viz^{t}

William Whittier of Winthrop —	103. 7. 8
Nath[l] Low of Winslow	164. 1.11
Tax 1781 New Emission Bills	267. 9. 7
Zebulon Prebble — of Bowdoinham —	59.19. 3
Moses Hastings — of Vassalborough —	63.18. 3
Nath[l] Low — of Winslow	127.13. 8
October 1781 tax —	251.11. 2

Also the sum of Twenty four pounds five shillings & two pence remains due from the s[d] Edmund Bridge Esq[r] for the Balance of his account of Executions returnd by him satisfied

Thomas Ivers Treas[r]

Treasury Office 8[th] February 1786

Governor's Message Feb[ry] 10, 1786.

Gentlemen of the Senate & Gentlemen of the House of Representatives

I sent you a message the 24[th] of November last, relative to the encroachments, which the Government of the new british Province of New Brunswick were disposed to make on the territorial rights, & sovereignty of this Commonwealth, and of the United States. Since which a letter has been received from James Avery Esq[r] our Excise Officer at Machias, dated the 24[th] of December last: in which he mentions he had just received advice from Passamaquoddy, that M[r] Weir the House Sherriff for Charlotte County in that Province, a few days before went on to Moose Island, & took the body of M[r] Tuttle Deputy Collector of Excise on an Action of debt; & told him he must either find bail, or be carried to Goal at S[t] Andrews. Upon M[r] Tuttle's informing the Sherriff, that he considered himself a subject of this State, & should not regard him as an officer the Sherriff called on some of the inhabitants to

assist him to carry Mr Tuttle to Goal, but they refusing, he informed them, he should go to the neighbouring Island of Campo Bello, & get assistance from the Ship lying there: being determined to carry the said Tuttle to Goal; & that orders had come from St Johns to exercise jurisdiction over the inhabitants of Moose Island.

This account is in part confirmed by a letter communicated to me by Leonard Jarvis Esqr who, as he has lately been in that Country, can give information concerning the circumstances of it.

Mr Avery concludes his letter with his expressed hope, that Government will take some steps to prevent its subjects from being insulted by a foreign power; & being liable to be dragged away by armed force.

In my former message on this subject I acquainted you, Gentlemen, that Congress had been made acquainted with all the proceedings referred to in that message; and had sent an Account of them to the Minister of the United States in London.

This affair, Gentlemen, merits your serious consideration. Mr Avery's letter, which will be laid before you, mentions several things respecting the duty of his Office; & that of the Naval Officers within his District: which may also require your consideration.

James Bowdoin

Council Chamber February 10th 1786

Govr's Message Feb. 14, 1786.

Gentlemen of the Senate, and Gentlemen of the House of Representatives

By the Returns made into the Secretary's Office of the number of Inhabitants in the several Towns and Plantations

in this Commonwealth, pursuant to an Act and Resolution of the Legislature, it appears there are three hundred & fifty two thousand, one hundred & seventy one Whites; and four thousand three hundred and seventy one Blacks: the particulars of which you will observe by the account taken of them by the Secretary from those Returns.—As neither the Act nor Resolution contains any order for transmitting such account to Congress, you will please Gentlemen, to give the needful directions for that purpose; expressing your mind, whether a copy of that Act and Resolution shall be sent with that account.

I have received Letters from the Secretary of Congress, (which will be laid before you) enclosing a state of the Representation of the United States in Congress for each of the months of November, December and January last: by which it appears, that no more than seven States have at any time in those months been represented: a circumstance much to be regretted, as such a representation, according to the Confederation, is not competent to business of importance. We have however, the satisfaction of knowing, that this deficiency is in no part of it attributable to this Commonwealth.

James Bowdoin

Council Chamber, February 14th 1786.

Report of Richard Trevett.

Naval Office Port of York } A general acco^{t} Currant of Light Money Rec^{d} by Rich^{d} Trevett for the Com^{n} Welth of Massachusetts for the year 1785 — Viz^{t}

March 29th of Sam^{l} Sewall, for Brig^{tn} Polly 70 Tons a 2^{d} for West Indies £0 .. 11 .. 8 June 14th D^{o} Zebulon Harmon, Sloop Seeflower a (Coaster) 30 Tons for 6 months @ 4^{d} } — .. 5 —, 30th D^{o} Zebulon Harmon jun^{r} Sloop Abigal a (Coaster) 30

Tons for 6 months @ 4^{d} } —.. 5 — July 5th D^{o} Obadiah Donnell owner of Schooner Lively 48 Tons Henry Mushemore Master a fishing Vessell } —.. 8 — Aug^{t} 9th D^{o} Sam^{l} Sewall, Brig^{tn} Polly 70 Tons for W : Indies } —..11—8, 26th D^{o} Duty on Register of Brig^{tn} Hannah Jo^{s} Simpson Master } —.. 1 —, 27th D^{o} Duty on Register of Sloop Industry John Weare D^{o} —.. 1 —, 17th D^{o} of Sam^{l} Winn, Schooner Union 70 Tons, West Indies @ 2^{d} } —.. 11 : 8, Nov^{r} 28th D^{o} Obadiah Donnell, owner of Schooner Lively 48 Tons — Henry Mushemore Master a fishing Vessell, 6 m^{o} @ 4^{d} } —.. 8 —, D^{o} D^{o} Zebulon Harmon jun^{r}, Sloop Abigal a Coaster 30 Tons for 6 months — @ 4^{d} } —.. 5 —, D^{o} D^{o} Zebulon Harmon, Sloop Seeflower 30 Tons a Coaster for 6 months @ 4^{d} } —.. 5 —, D^{o} D^{o} Jeffery Muchemore, Schooner Two-friend 45 Tons — a fishermans, 6 months @ 4^{d} } —.. 7 : 6 1786 Jan^{y} 12th D^{o} Thomas Harmon, Sloop Speedwell 65 Tons for West Indies @ 2^{d} } —.. 10 .. 10

Dr		Cr
1785 The Treasury to Rich^{d} Trevett Nav^{l} Officer —Contra.—		
Aug^{t} 5th To Receipt for		£1 .. 8 .. 8
1786		
Jan^{y} 12th To Com @ 2 pr^{c} on £4 .. 11 : 4		0 .. 1 .. 10
		£1 .. 10 .. 6
Feb^{r} 17th To Cash the ball^{c} Sent by Judge Sewall		3 .. 0 .. 10
		£4 .. 11 .. 4
1786	C^{r}	
Jan^{y} 12th By Light H^{s} Money		£4 .. 11 : 4
Collected by me for the year 1785		

York Feb^{y} 17th 1786

Errors Except^{d}

p^{r} Rich^{d} Trevett

York Ss Feb^{y} 17th 1786 Then Richard Trevet made Oath to the Truth of the Acc^{t} afores^{d} & the same Contains all the

Sums by him Rec^{d} for Light money for the year 1785 & to the 20th day of January 1786 —

Before me

David Sewall J^{t} Peace

The Petition of Jere Hill & Others.

To the honorable the Senate and house of Representatives of the Commonwealth of Massachusetts in general Court assembled

The Petition of a number of the good subjects of the Commonwealth aforsaid whose names are hereunto subscribed in behalf of themselves and others humbly shews — that there is a parcel of Land belonging to said Commonwealth and within the County of York lying northerly of great Ossipee River: which Territory is the only one your Petitioners know of within said County — Your Petitioners humbly pray that they may have a grant of a Township out of said Territory, beginning at great Ossipee River aforsaid on the northern side of said River four Miles from where it empties itself into Saco River thence up said River about five Miles to Newhampshire Line and a Line from the first mentioned bounds in general parrallel with Saco River till the amount of six Miles square are compleated the Line from the two Extreams to be parrallel with said great Ossipee River as may best accommodate them and the public for which your Petitioners are willing to pay a reasonable Compensation as in your wisdom may seem just and your Petitioners as in duty bound shall ever pray —

Jere Hill,
H Gillpatrick,
John Wingate,
Thos Gillpatrick,
Joseph Gillpatrick,
Josiah Fairfield,
Joseph Libbey,
Caleb Emery,
Benja Gillpatrick,
Thomas Townson,

Joseph Patterson, Allison Smith,
Aaron Porter, Benja Patterson

In the House of Representatives Feb^{y} 16, 1787

Read & committed to the Committee appointed by Resolve of 28 October 1783. on the subject of the unappropriated lands in the County of Lincoln &^{c}

Sent up for concurrence

Artemas Ward Speaker

In Senate Feb^{y} 20. 1787.

Read and concurred, — and the Committee are instructed to make particular enquiery, whether the lands prayed for are not private property —

Sent down for concurrence

Sam^{l} Phillips jun^{r} Presid^{t}

In the House of Representatives Feb^{ry} 20. 1787.

Read and concurred.

Artemas Ward speaker

Boston Jan^{y} 28. 1789 The Committee for the sale of Lands propose that M^{r} Hill and others within named,— may have the land applyed for by them, for Two Shillings and Six pence per acre, to be Surveyed by a person appointed by the Committee, and at the expence of the purchasers present —

M^{r} Wells M^{r} Jarvis & D^{r} Cony

Report of Committee on Kennebec Claim.

The Committee appointed on the Kenebeck Claim and on the several Petitions from Booth Bay N° IV & N° V on Blew hill Bay N° VI & N° I on Union River and a Place called New Bowdoin and of Sandy River ask leave to report a State of facts.

That soon after the Printed statement & the said Petitions were committed to them, they entered on a consideration of the business.

That a Captain Leach appeared before the Committee and informed them, that he had a claim to a considerable tract of Lands, included in the Lands proposed to be quit claimed or ceded to the Plymouth Company, and requested he might be heard by Council before the Committee, James Bowdoin Jun^{r} Esquire and the Members of the Honourable House from the County of Lincoln made the same request, the first on the part of the said Company & the latter in behalf of the Settlers on the Lands; the committee conceived that they should be justly chargeable with partiality should they refuse these applications, they therefore appointed a time for the purpose. M^{r} Benjamin Lincoln Jun^{r} appeared in behalf of Captain Leach the Honourable John Lowell Esquire in behalf of the Plymouth Company and the Honourable James Sullivan Esquire in behalf of the Settlers

The Hon^{ble} M^{r} Sullivan observed that the Committee who compiled the Printed statement, were mistaken with respect to the Geography of the Country and the Falls of Negumkike, and requested a longer time to prepare to state the matter to the Committee to which the Committee acceded.

The committee conceiving this a subject of great importance, and involveing in it many intricate points, thought it their duty to lay the foregoing statement before the House that they might take such order thereon as they may think proper.

John Reeds Petition.

To the Honorable the Senate & House of Representatives in General Court assembled

The Petition of John Reed of Topsham in the County of Lincoln —

Humbly shews that he was a Captain of a Company of men under the Comand of Coll James Hunter in the service of the Common Wealth in the year 1782 that While in s^{d} service he received from Joseph Noyes Esq. then Comissary at Falmouth five Barrells of Beef & one hundred rations of Provisions for the use of said Troops now said Noyes calls on him for the pay for said provision as the Comissary General says that he has no Authority to Discharge said Noyes for any Provision delivered without his Order therefore pray your honours to pass an Order for the Comissary General to Discharge said Noyes for the Provision delivered him as it was actualy expended in the service of the Common Wealth or Other wise releive your Petitioner as in Duty Bound will ever pray

John Reed

Commonwealth of Massachusetts

In the House of Representatives June 23, 1785

On the Petition of John Reed of Topsham in County of Lyncoln, setting forth that he received of Joseph Noyes Esq^{r} Commissary in the year 1782 five Barrills of Beef & one hundred Rations of Provisions, which were delivered without the Commissary Gen^{l} Order —

Therefore Resolved that the commissary General settle with said Noyes in the same manner as tho' he had given his Order therefore —

Sent up for concurrence,

Nath Gorham Spk^{r}

In Senate Feb^{y} 27th 1786

Read & Nonconcurred

S. Phillips jun^{r} Presid^{t}

Resolve on Petition of Inhabitants of Shapleigh & Lebanon.

To the Hon^ble^ Senate and House of Representatives of the Commonwealth of Massachusetts in General Court Assembled Feb^y^ 1786.

The Memorial and Petition of James Witherell Joshua Pray and Nathan Lord late Constables of the Town of Lebanon in the County of York humbly shews

That in a number of Taxes assessed by the said Town the Inhabitants of a certain Place called Shapleighton were Assessed which Taxes were committed to your Petitioners to collect

Which by Reason of the Oposition of the said Inhabitants has not as yet been collected tho' your Petitioners have used their utmost endeavours for that Purpose

But there remains yet due to James Witherell the Sum of Sixty Pounds five Shillings to Joshua Pray two Hundred and Seventy one Pound Seven Shillings and four Pence and to Nathan Lord Collector for 1783 & 1784 the Sum of Fifty two Pounds

A Number of Executions have been issued by the Treasurer of this Commonwealth against your Petitioners which they are unable to satisfy without receiving said Sums of said Inhabitants

But your Petitioners are fully satisfied that it is impracticable to collect those Sums

The Said Inhabitants Say they are willing to Pay Said Sums if they are permitted and authorized to address and collect Said Sums by Assessors and Collectors of their own Election

Your Petitioners humbly Request that said Inhabitants may be so permitted and authorized

And that the Treasurer be directed to credit your Petitioners for said Sums

or that your Honors wou[d] relieve your Petitioners in such other Way as in your Wisdom Shall Seem best

and your Petitioners as in Duty bound Shall ever Pray &c.

James Witherell, Joshua Pray, Nathan Lord

Superscribed: James Witherel & al Constables of Lebanon

October 1784

By Resolve of Court

Taxes Due to Joshua Pray — 364 — 13 — 4

By Resolve of C:

Taxes Due to James Witherell — — 73 — 16 — 5

Att October Sessions 1784 the Committee Brought Mr. Wethrells List Down to — £45 — 19 — 8 Abatements in Prays Lists 93 : 6 : 3 Abatements in Withrells Lists 13 — 11 — 5 Total 106 : 17 : 5 Total Joshua Bracket Town Clerk

John Cook Selectman

Mr. Prays 364. 13 — 4 Abatement taken out 093—06—0

Remains 271—07—4

Mr Witherell 45—19—8 Abatement taken out 13—10—5 Remains 32—09—3

all the Money that has been paid since October Sessions in 1784 is to be taken out of the sums above set down.

Resolve on Petition of Paul D. Sargent.

Commonwealth of Massachusetts

In the House of Representatives Feb[y] 23[d] 1786

Upon the petition of Paul Dudly Sargent that the Tresurer may be more fully empowered to pay the Staff & field officers of a regiment under his command in the year 1775 notwithstanding his vouchers were burnt by the Enemy

Resolved that the Tresurer be & hereby is empowrd & directed to pay said Roll to the order of Paul Dudly Sargent, he givng his bond with Surety to indemnify the Commonwealth against any future demands of his Staff & field officers aforesaid, any Law or resolve to the contrary notwithstanding

Sent up for concurrence

A Ward Speaker

In Senate March 4th 1786.

Read and nonconcurred

Saml Phillips junr Presidt

paid to P Dudley Sargeant 43 : 14 : 3½
dº Jonas W Austin 29 : 2 : 10¼
dº Peter Dolliver 8 : 5 — Total £81 : 2 : 1¾

Boston March 8, 1786

This certifies that I was adjutant of Colº Paul D. Sargents regt in the year 1775 and that I recd my wages of him as made up in the field & Staff rool of sd regiment while in the pay of this state in the year 1775, and I am likewise knowing that part of the remainder of the field & Staff officers receiving their pay of ye sd Colonel and I think the whole

Peter Dolliver

Paul D Sargent —	£43 : 14 : 3½
Jonathan W Austin —	29 : 2 .. 10¼
Aron Cleveland —	24 .. 6 .. 10¼
Peter Dolliver —	8 . 5 . —
Osgood Carlton —	10 .. 18 .. 6¾
Parker Cleveland	18 .. 15 .. —
Isaiah Holt —	8 .. — .. —
Ebenezer Swetland —	10 .. 5 .. 8½
Total	£153 . 8 . 3¼

Memorial of Paul D. Sargent.

Commonwealth of Massachusetts Feb^{y} 17 1786

To the Honorable the Senate and the Honorable House of Representatives

Humbly Shews Paul Dudley Sargent that he paid the Field and Staff Officers of the Regiment under his Command in the year 1775 while in the Service of this Commonwealth and took their receipt therefor that he in the year seventeen hundred seventy seven left his baggage and papers at Horseneck, that before he could get them removed the Enemy came out and burnt the House in which his baggage was and with it his papers, by which he is deprived of his vouchers, that the Treasurer refuses to pay him what is due on his role unless he produces orders from the officers, which is not in your petitioners power, the Lieutenant Col^{o} and Major being dead, the Chaplain, Surgeon, and Surgeons Mate, being settled in different parts of the Country unknown to your petitioners or dead, by reason of which your petitioners can not come at them, therefore he prays you would order the Treasurer to pay him the sums due on his role, or take such order thereon as you in your Great Wisdom shall see proper that your petitioner may git his just due and your petitioners as in duty bound shall ever pray

Paul Dudley Sargent

Re: Bill Regulating Townships.

March 7th 1786

Sir

The Act for Regulating of Townships & Town meetings is inclosed for the Consideration of the general Court, Which some of the revising Committee, are desirous Whenever the

Code of Laws is Printed, should appear at the beginning of the Statutes, as it seems to be the grand Stepping Stone to every species of Power in the Common[th] some of the Committee since the Bill is drafted seem to be of Opinion, that it would be eligable to fix the Time to the first Monday of April instead of the Month of March, in order that there might be a more general attendance of the Inhabitants for other Elections that are by the Constitution Assigned to that Time, should that be the opinion of the general Court it may easily be effected, and another short Clause introduced to transfer all matters cognizeable in March Meetings by other Statutes to the first Monday in April.

I am Sir your honours Humble Servant

Nath[l] Peaslee Sargent } in behalf of the Revis-g Com[ee]

M[r] President Philips

List of Towns that have not made returns of their assessments to the Treasurer.

A List of Towns that have not made any Returns to the Treasury of the Taxes required — viz.

Gold & Silver Tax 1780 viz

County of Hampshire — Myrafield — 43 . 16 —, County of York — Massabesec — 52 . 4 —, Limerick 14 . 8 —, Brownfield 14 . 8 —, County of Cumberland — Pearsontown 60 — Gray — 38 . 14 — Sylvester — 7 . 4 Bridgetown 5 . 8 — County of Lincoln — Winthrop — 108, Belfast — 14 . 14 —, County Berkshire, Plantation N° 7 — 47 . 8 — New Ashford — 51 . — . — Ashewelet — 54 — Total 512 .. 4 —

Specie Tax 1781 viz — County of Berkshire — Plantation N° 7 — 170 — County of Barnstable — Truro — 381 . 5 — County of York — Massabee — 210 — Brownfield — 75 —

County of Cumberland — Peirsontown — 351 — 5, Raymondston — 125 — Bakerstown — 105 — Sylvester — 105 — Bridgetown 138.15 — County of Lincoln — Norridgwalk — 37.10 — Lewistown — 90 — Balltown — 45 — County of Berkshire — Ashawelet Equivalent — 292.10 — Total 2126..5..0

New Emission Tax 1781 Viz[t] York County — Massabesec — £172.1.3 Brownfield — 51.14.4 Cumberland County — Pearsontown 150..2.11, Raymondston — 34.10.4 Bakerstown — 17.5.2, — Sylvester 17.5.2, Bridgtown — 17.3.10 Berkshire County — New Ashford — 133.15.11, Ashewelet Equivalent — 221.0.9 Plantation N° 7 — 267.9.10 Lincoln County — Belfast — 36.0.7, Lower Town of S[t] Georges — 112.3.5, Georgetown 633.12.10 Total £1864.6.4

Continental Tax N° 1, 1782 Viz[t] Hampshire County — Plantation — N° 7 — £113.6.8, Barnstable County — Truro — 254.3.4

York — ditto — Massabesec — 140. — Brownfield — 50 — Littlefalls — 120 — Cumberland County — Gray — 160 — Pearsontown 234.3.4 Raymondston — 83.6.8 Bakerstown — 70 — Sylvester — 70 — Bridgtown — 92 — Lincoln County — Winthrop — 127.10 — Norridgwalk — 25. — Lewistown — 60 — Berkshire County — Ashewelet Equiv[t] 195 — Total £1794.10.0

Continental Tax N° 2 Viz[t] Hampshire County — Merryfield — £105.16.8, Plantation N° 7 — 137.6.8, Barnstable County Truro — 254.3.4, Barnstable — 1060 —, York County — Massabesec — 140 — Brownfield — 50 — Littlefalls — 120 —, Cumberland County Pearsontown — 234.3.4 Royalsborough — 165 — Raymondton — 83..6..8 — Bakerstown — 70 — Sylvester — 70 — Bridgtown — 92.10 Lincoln County — Bath — 240 — Topsham — 209.3.4 Bowdoinham — 200 — Pittston — 127.10 — Howardston — 45

— Winslow —135— Norridgwalk —25— Lewiston —60— Berkshire County — Ashewelet Equiv^{t} 195 — Total £3719.0.0

State Tax N° 3, Viz^{t} Hampshire County Plantation N° 7 —£323— York County — Massabesec —891.16.3 Brownfield —63.17.7 Littlefalls 377.15.11 Cumberland County Falmouth —55.12.5 Cape Elisabeth —15.3.6 Pearsontown —368.12.8 Royalsborough —268.9.6 Raymondstown —350.3.4 Bakerstown —187.12.6 Bridgtown —246.12.5 Sylvester 187.12.6 Lincoln County — Howardston —45, Norridgwalk —25— Lewistown 60— Berkshire County — Ashewelet Equiv^{t} —320.14.3¼ Total £3787.2.10¼

Cass Tax Viz^{t} Suffolk County — Boston £592.18.9 Weymouth 74.1.8 Essex Almsbury —74.1.8 Middlesex County — Marlborough —74.1.8 Hampshire County — Williamsburg —74.1.8 Westfield 74.1.8 Plantation N° 7 — 74.1.8 Plymouth County Rochester —74.1.8 York County — Lebanon —74.1.8 Massabesec 74.1.8 Brownfield 74.1.8 Littlefalls 74.1.8 Cumberland County Pearsontown 148.3.4 Raymondston 74.1.8 Bakerston 74.1.8 Sylvester 74.1.8 Bridgtown 74.1.8 Berkshire County — G. Barrington — 148.3.4 W. Stockbridge 74.1.8 Ashewelet Equiv^{t} 74.1.8 Hancock 222.5 —Washington 74.1.8 Total £2445.0.5

Total Sum not returnd viz^{t} Gold & Silver Tax 1780 — 512.4. — Specie Tax — 1781 — 2126.5 —New Emission Tax 1781 — 1864 — 6 — 4 N° 1 — Continental Tax 1782 — 1794.10 — N° 2 — ditto 1782 — 3719 — N° 3 State Tax 1783 — 3787..2..10¼ Class Tax 1782 — 2445.0.5 Total 16240.8 7¼

Commonwealth of Massachusetts

Treasury Office, 13th Feb^{y} 1786

Thomas Ivers Treas.

Re Petition Joseph Chadbourne.

Commonwealth of Massachusetts

In the House of Representatives March 13th 1786

On the Petition of Joseph Chadbourn in behalf of the Plantation of Littlefalls setting forth that said Plantation procured and supplyed four hundred weight of Beef agreeable to a Resolution passed the General Court June 22d 1781 for which no credit was given

Resolved that the Treasurer be, and he is hereby directed to Credit the Plantation of Little falls with the sum of Six Pounds thirteen shillings & four pence on the Execution issued against said Plantation for non compliance with the resolve aforesaid

Sent up for concurrence

A Ward, Speaker

To the honorable Senate and House of Representatives of the Common Wealth of Massachusetts in General Court Assembled February 1786

the Petition of Joseph Chadbourn in behalf of the Plantation of Littlefalls in the County of York humbly shews that the Continantall Army and they have turned into the Agent for said County four hundred Weight of Beef for which they have the agents Receipt for as they have not any Credit for the same and Execution have been Issued for the Beef tax against Said Little fall your Petitioner Prays that an Ordor may Pass to discharge Said Plantation for the Beef they have Returned in or Releave them — in such way as your honours in your Wisdom may direct and as in duty Bound will Ever Pray

Joseph Chadbourn Agent.

Commonwealth of Massachusetts

Secretarys Office March 11, 1786

This may certify that it appears by the Recipts of Beef in this Office that the Plantation of Littlefalls in the County of York have not been Credited with any part of the several requisitions of Assessed on them by the General Court

John Avery jun^{r} Sec^{y}

Berwick Decb^{r} 31st 1781

Rec'd of M^{r} Joseph Chadbourn j^{r} four hundred Weight of Beef in Part of the Plantation of Littlefalls Proportion of Beef assessed Said Plantation by the Resolves of the General Court June 22^{d} 1781 p^{r} me

Dominicus Goodwin } Agent.

Petition of Jn^{o} Nichols in behalf of town of Washington.

Commonwealth of Massachusetts

To the Honorable Senat and house of Representatives

Humbly sheweth John Nichols, in behalf of the Town of Washington That Havens Shearman Collector of Taxes for said Town, after Collecting a considerable sum, did abscond with the same in his hands, and that upon application made to this Court at their first Session, The Treasurer of this Commonwealth was directed to stay his Execution against Said Collector for the term of nine Months, which being Nearly expired, and Said Town having since the passing the said order, Settled with said Collector, by receiving from him a Small piece of Land, which was all that they could obtain, and which Cannot be sold for money at present, and whereas Said Town is Very poor, and unabl at present to pay the

Same, Your Petitioner therefore prays Your Honours to take the matter under your wise Consideration, and that Said Treasurer may be directed to Stay his said Execution, for the further time of nine months in order that said Land may be Sold or that Said Town may have oppertunity to Discharge the said Tax some other way,

as in duty bound will ever pray

John Nichols

Re Petition John Nichols.

Common Wealth of Massachusetts

In the House of Representatives March 13th 1786

on the Pettion of John Nichols in behalf of the town of Washington Praying that Execution may be Stayed against said town for Reasons seat forth in said Pettion

Resolved that Execution be Stayed against the town of Washington for the further term of Seven months from the passing of this Resolve

Sent up for concurrence

A Ward Speaker

In Senate March 16th 1786

Read and Nonconcurred

Saml Phillips junr Presidt

Re Petition Paul D. Sargent.

Commonwealth of Massachusetts

In the House of Representatives March 13, 1786

On the Petition of Paul Dudly Sargent Esq praying for a Compensatory Grant out of the unlocated Lands belonging to this Commonwealth in the County of Lincoln

Resolved that Eight hundred acres of unappropriated lands in the County of Lincoln be granted to the said Paul Dudly Sargent in full for the expences made in purchasing eight hundred acres granted to the Soldiers by the General Assembly of the late Province of the Massachusetts Bay in the year 1734, in the Township called Souhigan West N° 3 which by the Settlement of the line between said Province and that of New Hampshire fell within the limits of the latter Government as Set forth in said Petition, and which Grant Shall be in full for all claims said Petitoner may have on this State by means of the Aforesaid Settlement —

Resolved that the Committee for Selling the unlocated land in the County of Lincoln be and they are hereby directed to Sett of eight hundred acres of land to Paul Dudly Sargent Esq^{r} and his heirs for ever, out of the Land in the County Aforesaid and in such parts thereof as said Committee may see fit —

Sent up for concurrence

A Ward Speaker

In Senate March 16, 1786

Read and non concurred

Sam^{l} Phillips jun^{r} Presid^{t}

18 members present

Memorial Paul D. Sargent.

Commonwealth of Massachusetts

To the honorable the Senate, & to the honble the House of Representatives of said Commonwealth in General Court assembled at Boston October 1785.

Paul Dudley Seargent humbly sheweth That in the year 1734 the General Assembly of the then Province of the Massachusetts Bay granted a Township six Miles square called

Souhegan West N° 3 to the Widows, Children & Heirs of the Soldiers engaged in the Narraganset Expedition, or Pequod War; Two Rights of which District consisting of eight hundred Acres, were purchased the same year by the Father of your Petitioner from the Heirs of two of said Soldiers: That Anno 1736 by the settlement of the Line between said Province & that of New Hampshire the whole of said Township fell within the Limits of the latter Government, the Soil & Freehold became vested in that Province & the Grant from Massachusetts was vacated, notwithstanding the terms of the Grant had been completely fulfilled & the Dues done by the Grantees or their Assigns, by Means whereof your Petitioners Father was put to a very considerable Expence in repurchasing said Lands & obtaining a Quiet Occupancy & which Expences have never been reimbursed, or any Compensation made by this Government to said Purchaser or his Heirs: Your Petitioner therefore prays that this honorable court would make him a compensatory Grant out of the unlocated Lands belonging to this Commonwealth lying in the County of Lincoln, or take such other Order on the Premises as they in their Wisdom shall think to Right & Equity appertains. And your Petitioner as in Duty bound shall ever pray

Paul Dudley Sargent

Boston 22ᵈ Octʳ 1785

Message of Governor.

Gentlemen of the Senate & Gentlemen of the House of Representatives

A number of persons, who appear to be inhabitants of Moose Island in the Bay of Passamaquoddy, have by their letter of the third of January just received, represented, that the Officers of the neighbouring British Province of New

Brunswick are pursuing every method to subjugate them; & that several writs have been executed upon them: imploring the interposition of this Government, & that such steps may be immediately taken as are necessary to quiet their minds, and give them full possession of their rights in the said Islands: as you will observe by their said letter.

This matter, in consequence of former similar representations, has been at your request laid before Congress; and as it is in a train of settlement, there seems to be nothing further necessary to be done, but to quiet the minds of those inhabitants, by informing them that Congress had taken measures to procure an amicable adjustment of the dividing line between the territory of the United States, & the said Province of New Brunswick; to commend them for their resolution, that no allurements or threats shall induce them to forsake that system & Constitution, by which they very justly think their natural rights & privileges will be secured; and to exhort them to abide by that resolution.—

The said letter, Gentlemen, is laid before you, for your determination concerning it.—

James Bowdoin

Council Chamber March 21st 1786.

Memorial Inhabitants Moose Island.

Moose Island Passamaquody Jan^{y} 3, 1786

May it Please your Excellency

The very great trouble and distress, which we now Labour Under, Call aloud in behalf of ourselves & Famelys to Solicite the attention of your Excellency — the Island we now Live on appears to be in dispute, between the United States and Britain. The later now pursuing every Method to Subjugate us — Several writs have been Executed, & by the Vigilent & Active Conduct of the Emmissires of Britain, several

Credulous & Ignorant persons have Doubted the American Claim — As to Ourselves No Allurements or Threats will prompt us to foresake that system & Constitution, which we hold as our Natural Rights & privelidges — Always Confiding in the Assistance of the United States — and that the Island Lyes within their Jurisdiction — We are people who depend upon Our Industry for Subsistance, & have little time to Attend to such Disputes — We have therefore taken this Method to Beseech & Implore the Interposition of your Excellency & the Hon^a^ Council to take such Immediate Steps as are Necessary to Quite our Minds and Give full Possession of our rights and titles to said Island —

We woud further Observe to Your Excellency that should said Island fall into British Lines, it intercepts all Trade with Cobscook, which Britain Allows to fall within the States — With a full relyence & dependence upon Your Excellencys Attention

We Remain with every Respectfull Duty Your Excellency Most Obedient & Devoted servants

James Cochran	John Shakford,
Joseph Clark,	Caleb Boynton
John M^c^Guire	W^m^ Allan,
Nathaniel Clark,	Steven fountan,
Sam Tuttle,	William goudy

His Excellency James Bowdoin Esq^r^

Petition of Inhabitants of Cumberland & Lincoln Counties to cut a Canal from New Meadow to Merry Meeting Bay.

Commonwealth of Massachusetts

In Senate March 22, 1786.

On the petition of sundry Inhabitants of the Counties of Cumberland and Lincoln, praying for license to cut a Canal

from New-Meadow River to Merry Meeting Bay: Ordered, that the petitioners cause an attested copy of their said petition and this Order thereon, to be published in the Falmouth News Paper thirty days, at least, previously to the second Wednesday of the next Session of the General Court, that notice may thereby be given to any person or persons to shew cause (if any there be) on the said day, why the prayer of the said petition should not be granted —

Sent down for concurrence

Sam[l] Phillips jun[r] Presid[t]

In the House of Representatives March 23[d] 1786.

Read and concurred

A. Ward Speaker

Petition Inhabitants Cumberland and Lincoln.

To the Hon[ble] the Senate and House of Representatives of the Common Wealth of Massachusetts, in General Court assembled.

The Petition of the Subscribers (being Inhabitants of the Counties of Cumberland and Lincoln) humbly sheweth, That your Petitioners being sensible that by cutting a Canal from the Head of New-Meadow River into Merry-meeting Bay, many and great Advantages would accrue not only to the Inhabitants of this Vicinity in particular, but to all the Maritime Towns to the Westward of said River in this Common Wealth, and to the Publick in general — as Merry-meeting Bay is the Place whare the two great Rivers of Kennebeck and Androscoggen meet, and is just above those dangerous Narrows called the Chops — Through which Canal, might be brought Lumber & Masts from any part of Kenebeck River in Rafts, directly into Casco-Bay and to Falmouth, without

going to Sea or running the Hazard of going down that rapid Torrant, the main Stream of Kenebeck — New-Meadow River empties itself into Casco-Bay about one League and an half to the Westward of Small-Point, and is a very safe & commodious Harbour even in the most rugged Season of the Year for Shipping of all Sizes — From the Head of New-Meadow River into Merry-Meeting Bay, is called little more than one Mile and is all the Way (excepting a very small Distance) low, swampy Ground and Salt-Marsh, thro' which is proposed to cut said Canal, at the Expence of Subscribers; and your petitioners are willing that the Owners of the Land & Marsh be intituled to reasonable Dammages (if any they require) from the Subscribers to carry on said Business. Therefore your Petitioners pray your Honors Approbation, & that in your great Wisdom you would grant Leave for said propos'd Canal to be cut through — And your Petitioners as in Duty bound, will ever pray

Brunswick 1st Janry 1786.

Israel Snow,
Samuel Snow,
Peter Combs,
John Farrar
Thos Mayo Lewis,
James Fulton,
Joseph Comb,
James Curtis,
William Low,
Nathl Larrabee,
Stephen Ingham,
John Ham,
George Harward,
Joshua Paine,
Saml Melchen,
John Peterson Junr
Joseph Snow Junr
James Sampson,
Hopstill Delano,
Ephm Butterfield,
Isaac Parsons,
Jesse Holbrook,
Benjs Brown,
John Winchell,
Jonathan Osgood,
Ezikl Thompson,
James Willson,
Aaron Hinkley,
Siman Duglis Esqr
John Snug,

Thoˢ Cosson,
Wm Sheffield
John Andres,
James Thornton,
Robᵗ McFarland,
James Hunter,
Daniel Brown Jr,
Stephen Hinkley,
James Mott,
John Simons,
Stephen Comley,
Jeremiah Dalton,
William Foster,
Thomas Berry,
William Gatchell,
Peter Combs Junʳ
John Emery,
Consider Thomas,
Robert Jordan,
Mickel Hoggen,
Huge Potter,
George Coombes,
George Coombes Junʳ,
Benjᵃ Coombes,
Asa Coombes,
Thoˢ Coombes,
Charles Thomas,
Peter Woodward,
Joseph Snow,
Benjamin Larrabee,
Samuel Thompson,
John Dunlap,
Will Brown,
Cornelius Heath,
David Ingham,
Isaac Cotton,
Nathˡ Larrabee Jʳ
Isaac Snow Jʳ
Samuel Lewis,
Jonas Dean,
Joshua Thomas,
Jeremiah Snow,
John Snow,
John Snow junʳ,
Henry Marit,
Jesse Snow,
George Lewis,
Capᵗ Higgins
Naler Marriner,
Bangman Higgins,
Basigman Snow,
Sam Small,
John Mariner,
John Mariner juner,
William Mariner,
Samuil Mariner,
Stepⁿ Gatchell,
William Gatchell
Benjamin Gatchell,
Peter Jordan,
Sam Wood,
William Collon,
Martun Grant,
John Jordan,
Abijah Jordan
John Jordan Junʳ,
Andrew Duning,
Hugh Alexander.

Mr Thomas Child Naval Officer Falmouth Account Current.

Dr

1784

Light Money Port of Falmouth Casco Bay Contra

Feb	1st	To Commissions on £9 —	0 –	3 –	[]
		To Ballance carried to next Quarter	8 –	16 –	5
			£ 9	0	0
May	1st	To Commissions on £13 : 5/	0	5	3
		To Ballance carried to next Quarter	21	16	2
			£22	1	5
July	8th	To Cash paid Treasurer	16	16	8
Augt	1st	To Commissions on £13 . 9 . 4	0	5	4
		To Ballance carried to next Quarter	18	3	6
			£35	5	6
Novr	1st	To Commissions on £15 . 5 . 10	0	6	0
		To Ballance carried to next Quarter	33	3	4
			33 –	9 –	4
1785					
Feb	1st	To Commissions on £13 . 8 . 4	0	5	4
		To Ballance carried to next Quarter	46	6	4
			£46 –	11 –	8
May	1st	To Commissions on £8 . 17 . 6	0	3	6
		To Ballance carried to next Quarter	55	0	4
			£55 –	3 –	10
Augt	1st	To Commissions on £18 – 11 – 8	0	7	4
		To Ballance carried to next Quarter	73	4	8
			£73 –	12 –	0
Novr	1st	To Commissions on £13 – 9 – 2	0	5	4
		To Cash paid Treasurer	11	3	0
		To Ballance carried to next Quarter	75	5	6
			£86 –	13 –	10

1786

Feb 1st	To Commissions on £16 – 9 – 6	0	6	6
	To Cash paid Treasurer	20	13	3
	To Ballance carried to next Quarter	70	15	3
		£91	15	0
Mar: 9th	To Cash Paid Treasurer	20	0	0
May 1st	To Commissions on £5 . 7 . 8	0	2	1
	To Ballance carried to next Quarter	56	0	10
		£76	2	11

Cr

1784

Feb 1st	By Duty on 16 Vessels 1080 Tons @ 2d to this day	9	0	0
		£9	0	0
May 1st	By Ballance brot from 1st Quarter	8	16	5
	By Duty on 19 Vessels 1590 Tons @ 2d to this day	13	5	0
		£22	1	5
Augt 1st	By Ballance brt from 2d Quarter	21	16	2
	By Duty on 21 Vessels 1616 Tons @ 2d to this day	13	9	4
		£35	5	6
Novr 1st	By Ballance brot from 3d Quarter	18	3	6
	By duty on a Foreign Vessel 70 Tons @ 4d omitted 3a July last	1	3	4
	By Do on 13 Vessels 995 Tons @ 2d to this day	8	5	10
	By Do on a Foreign Vessel 350 Tons @ 4d	5	16	8
		£33	9	4

1785					
Feb	1st	By Ballance bro^{t} from 4th Quarter	33	3	4
		By Duty on 26 Vessels 1470 Tons @ 2^{d} to this day	12	5	0
		By D^{o} on a Foreign Vessel 70 Tons	1	3	4
			£46	11	8
May	1st	By Ballance br^{t} from last Quarter	46	6	4
		By Duty on 11: Vessels=945 Tons @ 2^{d} to this day	7	17	6
		By D^{o} on a Foreign Vessel 60 Tons @ 4^{d}	1		
			£55	3	10
Aug^{t}	1st	By Ballance br^{t} from last Quarter	55	0	4
		By Duty on 14 Vessels 910 Tons @ 2^{d} to this day	7	11	8
		By D^{o} on 2 Foreign Vessels 610 Tons @ 4^{d}	10	3	4
		By D^{o} on 1 Coaster 50 Tons for the Year	0	16	8
			£73	12	0
Nov^{r}	1st	By Ballance bro^{t} from last Quarter	73	4	8
		By Duty on 20 Vessels 1465 Tons @ 2^{d} to this day	12	4	2
1786					
Feb	1st	By Ballance bro^{t} from last Quarter	75	5	6
		By Duty on 26 Vessels 1807 Tons @ 2^{d} to this day	15	1	2
		By D^{o} on 2 Coasters 45 & 40 Tons 15/&13/4	1	8	4
			£91	15	3

May 1st	By Ballance brot from last Quarter	70 – 15 – 3
	By Duty on 10 Vessels 646 Tons @ 2d to this day	5 – 7 – 8
		£76 – 2 – 11

Thos Child
N Offr

Cumberland Ss Falmouth, May 13th 1786 Mr Thomas Child, Naval Officer for this Port, made oath that the foregoing is a true Accot of all the Light Money he has receivd since the resolve or Act respecting the Same took Place

Coram Enoch Freeman Justt Pacis

June 9 — 1786.

An Account of Duties Received Naval Office Port Falmouth between 1st Augt 1785 & 1st May 1786 Vizt

On 7. Registers 1 Quarters 0 . 7 . 0, 9 Registers 2d Quarter — 0 — 9 — 0, 7 Registers 3d Quarter 0 — 7 — 0, One Charter Party & three Bills Lading — 0 — 3 — 3 Total £1 : 6 — 3

Cumberland Ss Falmouth May 16th 1786 Mr Thomas Child Naval Officer for this Port; made Oath that the above is a Just & true Accot of the Duty he has received on Registers &c to this Time

Coram Enoch Freeman Justt Pacis

Petition of Abijah Buck & Others.

To the Honorable Court of General Sessions of the Peace for the County of Cumberland in the Common Wealth of Massachusetts

The Petition of a Number of Inhabitants of two towns one called Bucktown or No 5 The other Called Butterfield or No 6 in the County of Cumberland

Your Petitioners Humbly sheweth — That the Committee appointed by the Honorable General Court for Selling unpropriated Land in the county of Cumberland Have Sold the above said Two Towns and there being between Seventy and Eighty families Settled in said Townships

That they Labour under Great Inconveniences for Want of an open and Established Road from Bucktown through part of Shepardfield and Bakerstown as far as the Great Bridge on Little Amouriscogin River in Bakerstown

The Road that is used now is frequently filled up by Persons who wish it to be differently laid out — some say it to be in one place and some in another —

Your Petitioners therefore Humbly Pray that your Honours Would be pleased to send a Committee (or appoint some other way) So that there may be an open and Established Road from Bucktown to the Great Bridge above said so that they may pass and Repass Without so many fences and other incumbrances

And as in Duty Bound they will Ever pray

May 16 = 1786.

Abijah Buck	John Brown,
Jonathan Tyler,	John Buck,
Nathaniel Buck,	David Record,
Benjamin Spaulding,	Thomas Allen,
Joseph Robinson,	Thomas Coburn,
Increase Robinson,	Edmund Chandler,
Elisha Bigbee,	Benjamin Haitd,
Noah Bosworth,	John Crocket,
John Bonney,	Dominicus Record,
William Tucker,	John Warren,

Meshach Keen,
James Keen,
John Keen,
Oliver Cummins,
Moses Buck,
Simeon Barrett,
John Briggs,
Hezekiah Stetson,
David Sturtevant,
Isaac Bonney,
Asa Robinson,
Jonathan Record,
Isaac Forster,
Jonas Coburn,
William Irish,
Daniel Oldham,
Charles Bisbee,
Calab Young,
Joseph Robats,
Amos Brown,
Beniah Teague,
David Warren,
Joseph Chace,
Nathaniel Chace,
Enoch Hall,
Charles Ford,
Jonathan Philbrick,
James Thurlo,
Jonah Fobes,
Moses Harris.

To the Honorable Senate and the Hon^{ble} House of Representatives of the Commonwealth of Massachusetts in General Court assembled —

The Petition of Abijah Buck, for himself & in behalf of forty nine others, Inhabitants of the Plantations of Bucktown and Butterfield in the County of Cumberland humbly shews

That they labour under great Inconveniences for want of an open and established Road from said Bucktown through part of Sheppardsfield and Bakerstown as far as the Great Bridge on Little Androscoggin River in said Bakerstown — The Road that is now used is frequently filled up by persons who wish it to be differently laid out, some in one place & some in another

He therefore prays that your Honors would impower and direct the Court of General Sessions of the Peace for the said

County of Cumberland to appoint a Committee to lay out open & establish a Road from said Bucktown to the Bridge aforesaid, in such a manner as they may judge best —

Your Petitioner & the 49 other Inhabitants aforesaid, supposed the Court of General Sessions afores[d] were by Law impowered to lay out Road through Plantation & signed the Petition accompanying this. which he begs leave to present to your Honors to shew that that number of Persons at least in y[e] Plantations aforesaid wish to have said Road established — but finding upon his coming to said Court that they are not invested with this Power — he humbly lays his & their Request before your Honor & prays for your Honors Order thereon —

Abijah Buck

Falmouth June 13 — 1786.

Letter from Jas Lyon to Jas Avery.

Machias, May 17, 1786

Sir

I am exceedingly obliged to you for your very friendly letter and the great attention you are pleased to give to my interest, which is now depending in the General Court. I trust, the reflection of having, at least endeavored to serve me in this matter, will always give you pleasure; for no person can have a better claim to said Lands, unless it is given by the Court, than I have. This claim I cannot present to the Court, in my own person, but beg the favor of your doing it, if consistent. And what you are pleased to do will be acceptable to me. My Memorial, to which I refer you, contains my claim in full. I shall only add, that no person, to my knowledge, who now makes any pretentions to said Lands ever labored one hour on them except myself and those under whom I claim. And, I presume a person fixing his eye

on it 20 or even 30 years ago, & ever calling it his, will never give him a just claim. Should the Hon^ble^ Court see fit to grant me my Petition, & consider the rations &c. a sufficient compensation, I shall be fully satisfied — But rather than loose the money I have paid to original claimers, & my own expense & labor, I will pay for them, as others pay for wild Lands, tho' it distresses me considerably — My choice you will easily guess — I wish, if I know myself, for nothing unjustly. And could I think the claim of any other person to the aforesaid Lands better than my own, I would instantly relinquish them. Nor do I wish to be favored by the Great & General Court farther than they would favor another person, in my situation & circumstances. I also wish to have the matter determined as soon as may be, that I may proceed to further improvements on said Lands, if mine. And I fully rely on your friendship, & the due application of your influence. And I not only wish you success in this, but also in all business, in which your own interest, and that of the public is concerned —

I am, Sir; very respectfully, Your Most humble & obliged servant

Ja^s^ Lyon

John Avery Esq^r^ Secretary

Account of Rich^d^ Trevett, Naval Officer Port of York.

Naval Office Port of York } A Just & true acco^t^ of all the Fees Received by Me, between 20^th^ Day of January 1786 and twentieth of Aprill Instant

1786

Jan^y^ 24^th^ Silas Nowall, Master of Brigantine Polly for France £0 — 10 — Ditto Indorsing Regester 1/ Certificate for Light Money 1/, 0 .. 2 —, 30^th^ Solomon Varrell, Schooner

Polly 14 Tons from Connecticut 0 — 4 — Ditto Permett to unload — 0 — 1 —, Zebulon Harmon a Coaster Certificate for L^{t} Money 0 .. 1 — Feb^{y} 11th Samuel Winn, Schooner Union Enterd from West Indies 0 .. 10 — Ditto Permitt to unload 1/ Indorsed Register 1/— 0 .. 2 — 15th John Harmon Jun^{r}, Schooner Fancy for West Indies 0 — 10 — Ditto Certificate for L^{t} Money 1/ Indorsed Register 1/ 0 .. 2 —, 16th Noahm^{tn} Littlefield, Sloop Sally a Coaster, Yearly Pass 0 .. 0 —, March 20th David Parsons, Schooner John a Coaster from Newburyport 0 .. 2 —, 27th Joseph Tucker, Schooner Two-Friend from North Carrolina — .. 4 — Ditto Permitt to unload — 0 .. — 29th Joseph Tucker, Schooner Twofriend, a Coasting Clearence to Boston — 2 —, Nath^{l} Parsons, Schooner Sally; Short Clearence for Boston — .. 2 —, William Seaward, boat Seaflower, for Piscataqua — .. 2 —, 30th Thomas Harmon, Sloop Speedwell, from Hpanola & permit — .. 11 —, April 5th Zeb^{l} Harmon jun^{r}, Sloop Abigal, for New York — .. 4 —, 12th Samuel Sewall, Schooner Little John West Indies, Reg^{ts} Indors'd — .. 11 —, 21st John Harmon Jun^{r}, Schooner Fancy from S^{t} Martens & permit — .. 11 — Total £4 .. 18 —
York April 21st Attest

Rich^{d} Trevett N. Officer

York Ss. May 26th 1786 Then Rich^{d} Trevet made Oath to the Truth of the Account aforesaid Before me

David Sewall J^{t} Peace

Naval-office Port of York — May 30th 1786

S^{r} Inclos,d is a return of My Fees Since the Last, (which I transmitted by Judge Sewall,) this Comes by Daniel Sewall Esq^{r} by whom I send twelve Dollars, it being what Light Money I have Rec'd Since the 20th of January Last (3/ Excepted) which is all I have Rec'd,— as the Season is not

Come round for a Settlement, I have not Sent an abstract of the Perticulars, Shall Send it by Judge Sewall when he Comes up in August next with the other Docum^{ts} at which time or before a new Choice will take place, then I Can Square the whole, please to give M^{r} Sewall a Rec^{t} for the above Sum — I am S^{r} your most Humb^{l} Serv^{t}

Rich^{d} Trevett

Tho^{s} Ives Esq^{r}

Petition of Benj. Sawyer of Boothbay.

To the Honorable the Senate & the Honorable the house of Representatives of the Commonwealth of Massachusetts in General Court Assembled

The Petition of Benjamin Sawyer of Boothbay Humbly Sheweth

That while hostilities continued between Britain & America your Petition was exposed by his Local situation to the open ravages of the common foe; that his uniform zeal & activity in the cause of his Country drew on him & his family a peculiar share of the enemy's vengeance; for this his house was plundered & robbed of his property to a considerable amount; that hereby he was reduced to no small distress: that a brief statement of his losses with proper Vouchers was laid before the Hon^{ble} Court in the fall-Session 1784 — which, together with the Petition that accompanied it still lies before your Honors.

That by long sickness his family has been reduced to such circumstances as can ill bear to ly under these difficulties — That in addition to all this, Your Petitioner having sold out a real estate Was induced to place the money received in pay for it into the public funds: & there it remained till by the depreciation of the Currency it lost of its value more than

four hundred pounds, & the remainder he cannot get out of the funds now

That by this means he has been disabled to discharge his own honest debts; & therefore is sued by his Creditors & exposed to be harassed, if not undone.

Your Petitioners therefore begs leave thus to lay his case repeatedly before your Honors; entreating the Hon^ble^ Court to take his case into your wise & candid consideration & grant him such relief in the premises as to your Honors in your wisdom & equity Shall seem meet

& your Petitioner as in duty bound Shall ever pray

Benj^a^ Sawyer

Boothbay May 31^st^ 1786

This may Certify that we the Subscribers are Knowing to allmost the whole of the facts set forth in the within petition

W^m^ M^c^Cobb, John Leishman, Tho^s^ Boyd jun^r^ } Sellectmen of Boothbay

These may Certify that by Information in time of the late War ye Petitioner Suffer^d^ Loss by y^e^ Enemie and has had Long Sickness in his family & lately buried his wife

Joshua Farnham, Rob^t^ White } Selectmen of Woolwich

Moses Davis } Selectman of Edgecombe

Letter from Caleb Davis Esq.

Boston June 1^st^ 1786

Sir

I am honored with your letter of y^e^ 25^th^ March Notifying Me of My being appointed one of the Commissioners on the part of this Commonwealth to Meet Such Commissioners as may be appointed by the other States in the Union to Consider & report a Uniform System in the Commercial affairs of

the United States — I am deeply impressed with a Sense of the honor confered on me in appointing me to this important Business and Should Esteem it one of the happiest Circumstances of my life to be instrumental in extricating the Commerce of my Country from its present imbarised & distress'd Situation, but the Circumstances of my Private Concerns will not admit of my absence From the Commonwealth at the time appointed for the Commissioners to Meet. I am therefore under a necessity of declineing to Accept of the important Trust and Request Sir that you will Communicate this to The Honorable Legislature as my Resignation

I am Sir With Sentiments of Esteem & Respect your Obedient Humble Servant

Caleb Davis

In Senate June 2^{d} 1786.

Read and sent down

Sam^{l} Phillips jun^{r} Presid^{t}

Petition of Ichabod Goodwin & Others.

To the Honourable Senate and House of Representatives Now sitting at Boston in the common Wealth of Massachusetts.

The petition of the subscribers Humbly Sheweth — that your Petitioners are owners of Certain Grants of land and some of them have purchased large Gores of your Committee who was appointed to sell them which Grants and gores lay Northwestward of Sanford head line and Eastward of Lebanon line and adjoyning Shapleigh Southside in the County of York which lands were annexed to the town of Sanford by the incorporative Act of the aforesaid Shapleigh lately pass'd as your petitioners are not inhabitant nor owners of land in Sanford, but proprietors of lands in Shapleigh and are there tax^{d} we your petitioners conceive will be injured, and

much troubl'd by having our lands taxed in Sanford: as they are an Old town and likely to us are in debt as well as other towns in the County and our Lands may be Exposed to Sale before your petitioners are aware, we therefore pray that you would Annex the afore said Grants and Gores of land to the new town of Shapleigh that our taxes may be Assessed in one town, and as in duty bound your petitioners will Ever pray

Berwick June 2^{d} 1785

Ichabod Goodwin,
W^{m} Rogers,
W^{m} Frost Jun^{r}
John Dearing,
Dominicus Goodwin,
Samuel Deviet,
Eliphalet Chany.

The Govr's Speech to the General Court.

Gentlemen of the Senate & Gentlemen of the House of Representatives

Agreeably to the request of the last General Court, I transmitted to our Delegates in Congress a Copy of the several papers, that relate to the transactions of the Commissioners for settling the Eastern boundary line of New York, & of the Courts' Resolve, giving them certain powers for effecting a Settlement of the interfering claims of the two States, to lands in the Western Territory.

With respect to the first, I desired those Gentlemen to communicate to the new Commissioners, appointed by Congress to run that line; & to procure from them the needful information of the time they would attend on this business: the time mentioned in their first letter being rendered precarious by their second letter: in consequence of which those papers were transmitted. But no further information has been yet received from them on the subject.— One of the

Agents appointed on the part of this State, the hon^ble^ M^r^ Sedgewick, informs me by his letter of the first of May, that his prior engagements to the Government as a Delegate in Congress, & his obligations to his colleagues, render his attention to this business impracticable; & he is therefore obliged, though with reluctance, to decline the honor of the appointment.— Perhaps, Gentlemen, you may think it proper to appoint another Agent in his stead.

With respect to the interfering claims of the two States, I have receiv'd a Letter from our Delegates, dated the 19 of May enclosing a copy of a supplementary Act of the Legislature of New York, passed the 28^th^ of April last: appointing seven Gentlemen Agents, for vindicating the right & jurisdiction of that State, against the claims of this State: & any five or more of them are by that act empowered to settle the controversy between the two States, otherwise than by the federal Court, in such manner as they shall judge most conducive to the interest of that state. You will consider, Gentlemen, whether it would not be eligible to give the Agents on our part similar powers: & whether in that case the probable consequence would not be a speedier decision of the controversy.—

Among the subjects, that claim your attention, Gentlemen, the University at Cambridge is not the least important: The encouragement of literature & the diffusion of knowledge were among the first cares of the worthy ancestors. After providing the common means of instruction, they instituted Harvard College which from that time to the present has amply answered the end of its institution.

It has always been under the patronage of the General Court, who from time to time have made grants for the support of its President and Professors. The last Grant for that purpose was in June 1784, for their salaries to the preceeding January.— With you, Gentlemen, who must be sensible of the great benefits derived to the Commonwealth from that

institution, there can be little occasion of using arguments for continuing those Grants. The meer representation of the arrearage, I am persuaded, will induce you to provide for the payment of it: especially as the Constitution declares, that "it shall be the duty of legislators & magistrates, to cherish the interests of literature & the Sciences, & all Seminaries of them, especially the University at Cambridge."— Considering too, that in most of the United States, there is now a remarkable disposition in favor of literature & Science for promoting & encouraging of which, there appears among them a most laudable spirit of emulation.—

Under the regal Government, to which it is hoped, the republican will in no instance be inferior, those Grants were regularly made. Besides which, about twenty years before, & down to, the time of its abolition, there was in every new-granted township one share reserved for, & granted to, Harvard College, exempted from all taxes, & similar reservations were intended to be made in all after-grants of townships, until the College-estate should produce a yearly income so large, as that all further grants, both of land & money, might with propriety & without discouraging Literature, be discontinued —

I would recommend it to your consideration, Gentlemen, whether, upon these principles, it would not be proper to confirm to the College all the land-grants that have been made to it as above-mentioned; & to secure to it one share in such townships as may hereafter be granted.

Another subject, & a most important one, that requires your immediate attention, Gentlemen, is a Resolution of Congress of the 15th of February last: most earnestly recommending to the deficient States on immediate & full compliance with the revenue System, proposed by that honorable body, by their Act of the 18th of April 1783. I communicated it to the General Court at their last Session: but they

thought proper to refer it to the consideration of the present General Court.

Among the States, which have only in part acceded to that System, is the Commonwealth of Massachusetts: whose Legislature, with the Legislatures of the other deficient States, is with unusual anxiety, & with a solemn earnestness, called upon by Congress to pass Laws in full conformity to it. They urge a compliance from motives & considerations of great moment, which must make a deep impression on everyone, who has a real concern for the honor & happiness of the United States: & if a better system cannot be proposed, this single consideration, that our freedom & independence were purchased by the debt it was intended to discharge, should invigorate every exertion to carry it into execution —

Some of the States do not seem sufficiently sensible, that the freedom & independence, thus derived to them, have given them a new & important character — a national character, from which, as relative to each other individually, & to the united body collectively, new duties have originated, which they are indispensably held to perform; & some of which are expressly pointed out by the confederation.— By the confederation the States respectively do solemnly pledge & engage their faith, to abide by the determinations of Congress on all questions, which by the confederation are submitted to the decision of Congress; & that the Articles of it shall be inviolably observed.—

By those articles Congress have authority to borrow money on the credit of the United States; & to ascertain the necessary sums to be raised for the service of the States; & to appropriate & apply the same for defraying the expence of that service: & the several States are held to supply those sums in certain proportions; for paying which, taxes shall be laid & levied by the authority of their respective Legislatures within the time agreed upon by Congress.

Upon the faith & promise of the United States, thus pledged & engaged, & to carry on the War, Congress procured Loans from France, Spain & Holland, & from Citizens of the States, which with other charges incurred by the War, amount to a considerable sum. The nations & individuals, to whom this sum is due, have a right to expect, & they do expect, that it will be paid according to that pledge & engagement: & the several States in the Union are under every obligation of justice, honor & good faith, to exert their utmost ability for that purpose. And you will permit me to add, that it is particularly incumbent on you, Gentlemen, as the Legislature of this State, to make provision for the payment of our proportion of that debt.

To extinguish the debt, a mode is pointed out by the revenue System abovementioned, which Congress, after the most mature deliberation, declares to be the best in their power to propose. It recommends to the general States to invest Congress with a power to levy, for the use of the United States, certain duties upon goods imported into the said States from any foreign port. And also to establish for twenty five years, & to appropriate to the discharge of the debts contracted on the faith of the United States, substantial & effectual revenues, of such a nature, as they may judge most convenient for supplying their respective proportions of one million & five hundred thousand Dollars annually, exclusive of the aforesaid duties: Provided that, until the rule of the Confederation (or some other rule) can be carried into practice, the proportions of the said sum shall be as mentioned in the said Revenue Act: which assigns to this Commonwealth the annual proportion of two hundred twenty four thousand, four hundred & twenty seven dollars.

The former part of this recommendation has been complyed with by the legislature of this State; with this deviation however, that instead of impowering Congress, they have

an Act of their own, laid the recommended duties: subject to this proviso, conformably to the recommendation, that the Act Shall not operate until all the United States have passed acts for imposing the like duties —

The resolutions of Congress relative to this business, together with a message of the 27th of February last, to the General Court on the same subject, are on the files of the Court, & to which you will please to be referred —

The Commissioners of the Treasury of the United States have transmitted a book, containing their account of taxes with each particular State, exclusive of specified supplies, stated to the first of November last: & also an Account of those supplies, that have been demanded of each State. It would have been communicated to the General Court at their last Session, had it not, by some accident, been mislaid. The former account includes taxes & credits for old Emission dollars, New Emission, & specie dollars; & the balances due in each.—

With respect to the first mentioned account with Massachusetts there was a balance due from this State in the old emission. On finding it right, & a much larger sum of the old emission dollars being in the Treasury, a warrant was immediately issued on the Treasurer to pay that balance to the Loan Officer of the United States: & it has been accordingly paid. There is the appearance of a large balance of new emission dollars due from this State: but when we are credited for the payments made by the late Treasurer Gardner, for the sums cancelled, or burnt, by a Committee of the General Court, & for what the present Treasurer has in hand, the remaining balance will be comparatively small, & may in a short time be wholly paid; if the extant taxes, intended to redeem that emission, be properly called for.—

The balance in specie appears also to be large: but it will be greatly reduced, when all the sums paid are credited, &

the amount in other respects properly adjusted. The State however, is, with regard to this balance, considerably in arrear; & the loan officer has been with me, requesting, that I would represent to the General Court the urgent necessity, which presses for the speedy payment of it. Upon this head I sent Messages to the General Court dated the 24th of October, the 3d of November, & the 3d of February last, accompanied with several letters from the Commissioners of the Treasury, & Mr Secretary Thomson; together with a resolution of Congress of the 12th of October, which are all upon the same subject: earnestly urging the payment of arrearages, due on the several requisitions of Congress prior to the last; & representing in very forcible terms the evil consequences, that must result from delay — By recurring to those papers Gentlemen, you will see the great importance of fully complying with those requisitions; & must be induced to take vigorous measures for enforcing the collection of the taxes laid for that purpose —

At the same time, Gentlemen, you are providing means for complying with the requisitions of Congress, you will naturally take into consideration the state of our own particular debt. A general view of it was exhibited to the last Court; & you can at pleasure recur to that exhibition —

It is particularly necessary you should attend to the State of the debt, as it respects the last & present year.— Among other purposes, the last tax-Act provides for the redeeming of one hundred thousand pounds of the Army notes: going upon the idea, that that sum would redeem the whole remainder. But there will still be a remainder of ten thousand one hundred & fourteen pounds four shillings & four pence of those notes, for the redemption of which the Act does not make provision.— That remainder, however, need not for the present be considered, as the Sale of State lands, & some

other means, already provided, may be sufficient to redeem it.—

Of the consolidated securities, issued by the Treasurer, there is one hundred seven thousand five hundred & ninety five pounds fourteen shillings & eleven pence half penny, that was payable the last year: which with three hundred forty five thousand four hundred & eighteen pounds nineteen shillings & eight pence half penny of the like securities, payable the present year, makes four hundred fifty three thousand & fourteen pounds seventeen shillings & eight pence: the greatest part of which is now payable, & the whole will be so, at the end of the year, besides the interest that will then be due.—

The payment of these securities is provided for by five taxes laid on the year 1785 for four hundred twenty three thousand two hundred & fifty pounds; & by four taxes on the present year for three hundred eighty six thousand two hundred & fifty pounds; for which taxes the Treasurer is empowered & directed to issue his warrants, in case the General Court should not by the first of July in each year, agree upon a tax act for apportioning those taxes upon the Commonwealth. The Acts laying those taxes were passed the 17th of February, the 15th of May, & the 5th of July 1781; & the 25th of March 1783: & it will be the duty of the Treasurer, after the first of July next, to issue his warrants for apportioning & collecting them, at least to the amount of the aforesaid sum of four hundred fifty three thousand & fourteen pounds seventeen shillings & eight pence, exclusive of the interest.— The reason why the taxes so much exceed the debt they were intended to discharge, may be conjectured from an Act passed the 6th of March 1782: by which an alteration was made in the time of payment of Government securities issuable, & some of which had been issued, by virtue of anterior Acts. The payment was postponed a year, without a correspondant postponement of the taxes.

It would be for the honor & reputation of the Government, if its debt could be paid at the several times it will become due. But if the tax, laid upon the present year by the last tax act, of three hundred thousand, four hundred & thirty nine pounds one shilling & three pence, connected with the sum aforesaid, exceeds the ability of the Commonwealth, concerning which you, Gentlemen, are the judges, would it not be adviseable to propose to its creditors a system of payment, by which certain proportions of the debt, to which the public ability would be equal, should be annually paid, until the whole be extinguished.— If this, Gentlemen, should be your opinion, you may think it proper to extend the proposal to the remaining creditors of the Commonwealth: to whom there will be due on consolidated securities in 1787, including the debt to a mercantile house in France, three hundred fifty eight thousand five hundred & fifty one pounds fifteen shillings & eight pence half penny — in 1788 three hundred forty five thousand four hundred & eighteen pounds nineteen shillings & eight pence half penny; & in 1789 two hundred thirty seven thousand eight hundred & twenty three pounds one shilling & nine pence.— The amount of all the consolidated securities, that have been issued by the Treasurer, & are now extant, according to a memorandum I have had from him, is one million three hundred ninety four thousand, eight hundred & eight pounds fourteen shillings & ten pence, exclusive of interest.

For the payment of the first sum, taxes are laid on the year 1787, for three hundred eighty six thousand two hundred & fifty pounds, & for the payment of the two last mentioned annual sums, both amounting to five hundred eighty three thousand two hundred & forty two pounds one shilling & five pence half penny; taxes are laid on the year 1788, for three hundred eighty six thousand two hundred & fifty

pounds: which with the surplus age taxes laid on the year 1785 & 1786, are the fund for securing that payment.

This, Gentlemen, is the State of the domestick debt as it stood the 27th of the last month: & these are the funds for the payment of it. There will be some addition to be made to it, as all the accounts relative to the Penobscot Expedition, & other matters of charge have not yet been settled. It is justly expected, however, that the cost of that expedition will be allowed to us by Congress.—

A well digested system of payment, supported & recommended by proper tax-acts, with such provisions as would insure a punctual payment at the stipulated times, would probably meet the approbation of the creditors of the Commonwealth; & be acceptable to the people in general. In that case, the former would receive their debt in reasonable proportions at the stipulated times; & the latter be relieved, not only by a division or distribution of the taxes upon a number of years, but by the increasing population; which would annually supply new & additional subjects to bear a part of the taxation —

If however, by a vigorous exertion we could cancel the domestick debt within the time, at which the securities of the remotest payment are payable, viz^{t} 1789, transferring to that year a sufficiency of the overplus tax of the last & present year, & annihilating the rest of the overplus, it might be more for the benefit of the Commonwealth — than to procrastinate it.— This Cancellation being effected, & all our finance resources directed to one point, ways & means might be found to supply our proportion of the foreign debt without much difficulty —

Such an exertion, founded on the unalterable principles of rectitude, & communicative justice — a basis, on which the happiness & prosperity of nations, as well as of individuals, so essentially depend — would be productive of good effects;

&, systematically pursued, would in a short time, not only greatly reduce the debt, but proportionably advance the credit & reputation of the Commonwealth.

There are other matters, Gentlemen which require your consideration, & which I shall communicate to you by message.

The Letters & Papers, referring to those above mentioned, will be delivered to you by the Secretary —

Council Chamber June 2^{d} 1786. James Bowdoin

W^{m} Lithgow & al. Inhab^{ts} of Lincoln C^{y} to erect a Light House at Seguin.

To the honorable the Senate and the honorable House of Representatives of the Commonwealth of Massachusetts in General Court assembled.

The Petition of the Subscribers, Inhabitants of the County of Lincoln humbly sheweth,— that your Petitioners, influenced by an ernest desire to Alleviate the distress of their fellow creatures in general, to promote the good of the Citizens of this Commonwealth in particular, and to see the Maritime and Mercantile Interest thereof in a flourishing condition, and being fully persuaded that the erection of a Light-House upon the Island called Seguin will greatly tend to advance these important purposes, think it their duty to apply to your Honors our political fathers, whose Characteristic it is (and who are so fertile in expedients) to advance the true interest of their Constituents and the benefit of Mankind in general, to cause a Light-House to be erected on the above mentioned Spot. The Island Seguin seems to be designated by Nature for this purpose, being situated at the Mouth of the great River Kennebeck, and being an excellent direction not only for that Harbour, but likewise for the Harbour of Falmouth, Booth-bay, Wiscasset-Point, Newmeadows, and Harpswell. This Island is well known to

Foreigners being pointed out in the sea Charts &c — Your Petitioners think that if there was a Light upon this Island Many Vessells would be saved from Shipwreck, and many Persons preserved from immature Deaths, therefore humbly pray your Honors, to take this matter into your Consideration, and to act thereon, as to your Honors in your great wisdom shall seem fit — And your Petitioners as in duty bound will ever pray

Will^{m} Lithgow,
Samuel Thompson,
W^{m} Lithgow Jun^{r}
Tho^{s} Price,
Benj^{a} Jaynes,
Nath'l Wyman,
Dum^{r} Sewall,
David Trusant,
Benj^{a} Donnell,
W^{m} Swanton Jun^{r}
John Lowell,
Stephen Sampson,
Wensley Hobby,
William Swanton,
Stephen Morss,
John Bernard,
Davis Summer,
Joseph White,
William Webb,
Josh^{a} Raynes,
Jon^{a} Davis & Son,
Thomas Williams,
Deodat Lincoln,
John Whitmore,
Ephraim Fitts,

Tho^{s} Follansbee,
Tho^{s} Follansbee Jun^{r},
Consider Turner,
Joseph Lombard
Samuel Reed,
Gideon Owen,
Thomas Owen,
Hatherly Foster,
Samuel Emerson,
John Campbell,
Joseph Lunt,
Thomas Sprague,
Jn^{o} Wood,
Benj Coleman,
Oliver Bisbee,
Stephen Sorvall,
Sivearns Weeks,
Jerome Loring,
Thomas Foot,
Robert Stonehouse,
Jn^{o} Clarke,
Richard Kimball,
Stephen Coombs,
John Bayley,
Joseph Sprague,

W^m^ C Baker,
Luke Lombard,
55 signers

Ephraim Delano,
Zebediah Farnham

Petition of the Masters of Vessels & als in re light-house.

Commonwealth of Massachusetts
To the Honorable Senate and House of Representatives in General Court assembled June 1786.

The Petition of the Masters of Vessels and Others in the County of Lincoln Humbly Sheweth That whereas the Coast of the County of Lincoln is very Extensive and the Vessels that belongs to Divers Ports of the Commonwealth Coming into the North Channel from Sea in the Winter and not being Aquainted are Often Obliged to Put to Sea and whereas the Ports of Sheepscot River & Boothbay are Large Safe & Good Harbours for Ships of Any Burden and the Island of Damerscove so Scituated as that a Lighthouse built thereon will divert and be a Guide into Port or to Continue their Course down East, and whereas there was two Vessels last winter Cast away on said Island & totally Lost with some of their Crew, which had there been a Light House built there would in all Provibility have been Safe — We therefore Pray your Honors that a Light-house may be built on said Island & as in duty bound will ever Pray —

Ichabod Pinkham Pilot,
Benj^n^ McFarland – Pilot,
Joseph Gray,
John Stinson,
John Murray,
Joseph Lewis,
James Reed,
John Tucker,
Joseph Herinton,
Henry Abbot,
Sam^l^ Waters Jun^r^,
Joseph Decker,
Alexander Arskins,
Richard Cook,
Aaron Abbott.

Report on Part of Governor's Speech of Oct. 20, 1785.

The Committee of both Houses on the Governors speech having taken into their consideration that part of it, which relates to the design of some Persons in the Three Eastern Counties of this Commonwealth, of forming the s[d] Counties into a seperate & Independent State; beg leave to report

That a Committee of both Houses be appointed, to bring in a bill declaratory of the Allegiance which all the Inhabitants of the territory of the Commonwealth of Massachusetts Owe to the government of the same agreably [A] to the constitution, and descriptive of those [A] particulars which shall amount to a renunciation of that allegiance; and so constructed as most effectually to secure the Commonwealth against the ill consequences of any [B] dismemberment whatever [C]

Which is Submitted Sam[l] Baker p[r] Ord[r]

In Senate Nov[r] 18, 1785

Read & accepted with amendments at A & B — and order'd that John Sprague & John Lowell Esq[r] with such as the Hon[ble] House shall join, be a Committee to bring in a Bill for the purposes herein expressed —

Sent down for concurrence

Sam[l] Phillips jun[r] Presid[t]

at A dele "particulars" & insert Acts & proceedings B — dele from B to C & insert, attempts to dismember the same

In the House of Representatives Nov[r] 14, 1785

Read & concurred & M[r] Hitchbourn M[r] Thomas & M[r] Dalton are joined

Nathaniel Gorham Spk[r]

Letters, etc. from George Billings.

The committee of both Houses to whom was commited several letters from George Billings naval officer for the port of

Penobscot addressed to the Attorney General, setting forth The opposition he hath met with from several persons in the Execution of His Office, as mentioned in said letters — have attended that service and ask leave to report the following Resolve —

Solo: Freeman P^r^ Order

Commonwealth of Massachusetts

Resolved That George Billings Naval officer for the port of Penobscot, be, & he hereby is directed forthwith to procure all the legal evidence he can obtain, to prove the several facts contained in his said letters bearing date July the 20^th^ Sept^r^ 2^d^ & Sept^r^ 5^th^ A. D. one thousand seven Hundred & eighty five and Transmit the same to the Governor & council that such farther proceedings may be had thereon as to the supreme executive of this commonwealth shall appear necessary

And it is further resolved that a collector of import & Excise be appointed to reside in future at Majorbagwaduce, and that the Governor be requested with the advise of Council to appoint & commissionate a Justice of the Peace at Majorbagwaduce having regard in said appointment to such person as shall appear in their Opinion most likely to carry the laws of this commonwealth into Execution

Sep^t^ 5, 1785

Sir

Since writing the Inclosed, Information has been lodged in my Office; that an English Vessel was loading about Ten Mile off — Tho' Night I proceeded to the place were she was and found her a Vessel M^r^ Lee was Concern'd in, for which a regester was taken from the late Naval Officer previous to the act in his Name and as his property. The Master and Mate are new Owners. The former late an Officer of a

British man of war; the latter a Notorious Refugee and plunderer who Commanded a privateer out of this place in the War — he is now here for the purpose of giving Intelligence, if any muster shoud be made here to go after them. He has many friends in this place and cou'd Command assistance. Persuming upon this he bids defiance to the Laws publickly. The Vessel has landed one Cargo at Halifax — is now from Shelburne — the freight Consign'd to M^{r} Lee is run and out of my way securely. The Cargo's they take are previously Collected by M^{r} Lee, I find myself quite Inadequate to the Arderous undertaking of Naval officer for this place — Surrounded by people of the foregoing discription, who Accumulate fast from Shelburne — and other British Settlements you'll easily Conceive the situation of this Eastern Country and the Consequences that must ensue in course of time. From a Country which abounds with Lumber of all Kinds — and of the Best quality, are the English tho' the Medium of their New settlements supply^{s} in some measure there West India Islands, which there is received as the produce of Novier Scotia. There is room to suppose if some measures are not devised to hinder such proceedings By means of Agents from Shelburne &c in Course of Time it may amount to a supply. I am Sir with perfect Respect Your Humble Servant

Geo: Billings

In Senate Oct^{r} 24 1785

Read & committed to the Committee to whom was committed his Excelly's message of the 22^{d} inst.

Sent down for concurrence

S. Phillips j^{r} Presid^{t}

In the House of Representatives Oct^{r} 24, 1785.

Read & concurred

N Gorham Speaker

In Senate June 6, 1786.

Read & with the papers accompanying it — committed to Solomon Freeman & Richard Cranch Esq^{rs} with such as the Hon^{ble} House may join

Sent down for concurrence

Sam^{l} Phillips jun^{r} Presid^{t}

In the House of Representatives June 6, 1786.

Read and concurred & M^{r} Cross M^{r} Jarvis & M^{r} Howe are joined

Artemas Ward Speaker

On the 14th of July being Informed by William M^{c}Cobb Esq^{r} at Boothbay — I was appointed Naval Officer for Penobscot as I was then bound on a Voyage — and knowing the Necessity of an Officer at Majorbigwaduce — I Consigned my business qualified myself an proceeded for that place — On my arrival here the (18th July) I found several Vessels Two of which were British.

Upon Investagating Circumstances, I concluded one of them a Ship (of 400 Tons) had not been enterd altho' Cargo was then taken on Board and Goods had been landed. I thought it my Duty to make application to the late Naval Officer — from him I had no determined answer wether the Ship had been enterd or not. I requested to know weither he had received a Certificate from the Deputy Collector if so weither I might be permitted to see it. Finding no Information cou'd be obtained form M^{r} Hibbert I went to the Dep^{y} Collector M^{r} Lowder and of him requested to know if the Ship had been entered, he answer'd She had and by M^{r} Hibbert: I asked to see the Bonds that were passed for the Duties of Impost. He said he did not conceive it necessary I shou'd

see them. I requested to see the Ships Manifest and was refuse'd. Finding those persons disposed to conceal their proceedings. I took Suspicion that matters had been in an easey manner, I demanded of M^r Hibbert a sight of the bonds that all acts &c shou'd be obey'd likewise every paper belonging to the Naval Office. I obtained of him a manifest (p^r Copy) signed by the Master of the Ship attested to before M^r Hibbert at which time M^r H was in Boston, being the 29^th June. I received a Certificate from him at the same time (as p^r Copy) of the same date as the Manifest — From these and other Circumstances it appeared to me the Laws had been violated, and means had been Concerted between the Master — Consignee — and Officers to Cover their illegal proceedings. Their being proof of M^r Hibberts being in Boston at the time the Manifest was attested to; and Certificate passed, which with the Collectors declaring he shou'd not Injure any Foreign trading to those parts. I conceived it my Duty to seize the Ship. On my appearing allong side I was denied admittance on Board by the Master threatning me with the Consequences if I shou'd persume to Come on board — his people at the same time appearing in an hostile manner. I cou'd not attempt it. But by virtue of Authorety Vested in me — order'd the Master not to get the Ship under way — which he was about to do. I Immediately went on shore to the Store of the Consignee into which the goods were landed Requested admittance to take the same he directly said I should not have them run into his Store — Shut the Door against me, after which he open'd a window from which he levell'd a Gun at me and swor he wou'd blow my brains out if I attemp^d to enter. After this I took Boat and went about three Miles to assemble a force to Stop the Ship which by this time they had got under way by Slipping her Cable & the Assistance sent them by the Consignee — Before I cou'd accomplish my design, they had got her so far to Sea as to make

it Impossible to Stop them with a Boat. they proceed[d] as I afterwards learned to an Island in the Bay of Penobscot — from which they took wood and Water and proceeded to Sea. The above is a True Statement of Facts which took place from the 18[th] to the 20[th] July the day on which she went off.

Geo: Billings

Majabigwaduce Penobscot July 20[th] 1785 The anchor and part of the Cable still remain were they Slipt it. The Ship arrived in this port the 24th of June, and took on Board Cargo the third day after her arrival.

A– Manifest of Goods Ship't on Board the Ship Catherine John Cole Master from London to Penobscot

Marks Num[r] Qualities By whom Shiped To whom consigned

I × **L** 1 & 2 2 Chests of Tea Thomas Guillame John Lee

1 Bale, 5 Punch[s] A Brandy, 164 Barrs Iron, 3 Bundles of Steel 2 Cables 8 Coils of Cordage 50 Bags ship Bread 2 hhds Porter 1 Chest Hops

John Cole

June 29[th] 1785

Attested to before Joseph Hibbert Nav[l] Officer

This may Certify That I have received sufficient security for the Dutys of Impost on the following Articles on Board the Ship Catherine John Cole Master from S[t] Johns in Novier Scotia Viz Two chest of Bohea Tea Mark[d] I L N° 1 & 2 Con[s] 732 u. N. N° 3. 1 Bale 6 pieces of Ravens Duck 164 Barrs of Iron q[t] 3 Tons, Three Bundles of German Steel Two Cables q[t] 14 .. 1 .. 15 eight Coils of Cordage q[t] 8 .. 2 .. 18 & 5 puncheons of Brandy —

Given under my hand at Majabigwaduce this 29th day of June 1785.— (Signed)

Jon[a] Lowder D[rs]

Collector of Import & Excise for the County of Lincoln &c.

)Exact Copys.(

Sir

As Naval Officer for this port I found it Compatable with my Duty to Seize a Certain Ship, which I conceive was received from me. Being Informed it is necessary to acquaint you with the same — I take the liberty to address you on the subject Inclosed is a relation of Circumstances I have endeavoured to be as clear therein as is in my power. It wou'd have been more agreeable to me to have Communicated them in person, but as I cannot leave this place I have taken this Method. If after perusal you shou'd think I have acted with propriety shou'd Interest yourself and seek the Damages — if Requisite I wou'd come up upon Immediate Notice. M^r^ Lee to whom the Ship was Consigned left his Country in war Time and has lately been Naturalized — I find great Interruption from him in the Duties of my Office — his Influence is great and was the Man and Connections known my assertions wou'd need no further Support. Their is a Cap^t^ Middleton, (now in this place and will be here this Two Months) who went on board the Ship — aided and assisted the Master, in getting her under way and Piloted her to the Island were they Wooded & Water'd — This Man was 5th Lieu^t^ on Board Admiral Rodneys Ship in the War And is now Concerned with M^r^ Lee and Two other Merch^ts^ at Port Roseway in fitting a Ship which I have suspicion they mean to get out of this port without Conforming to the late Law its not in my power to Command assistance in this Wilderness. They have already carred on english Brig from the port in a Clandestine manner, the Register of her being deposited in my Office, this Vessel was owned at Port Roseway and is gone without any Regester for that port. The Revenue will be considerably defrauded if this Ship gets away as she is intirely the property of Foreign^rs^

If People are disposed to Act Contrary to Law, it is out of the Power of an Officer to prevent it in a place almost in

a State of Nature. However I shall use every means in my Power to prevent the ships being carried of in the Manner the Brig was. Evedence can be obtain'd that Mr Lee's Boats were employe'd in rescuing the Ship Their was several of his servants assisted in getting her underway likewise sufficient Evedence that Cap^{t} Middleton aided; & piloted the Ship to the Island. The Boats and People Return'd the Night following: It will be Impossible for an Officer to do his duty here unless a Guard is Orderd for the port. I have confined myself Intirely to facts. and shall be oblidg'd for your sentiments on the Transactions that have taken place likewise if you think I have acted with propriety. A Trade has been carry'd on with port Roseway ever since the peace and their is no doubt but the Revenue has been greatly defrauded by inattentions. I have particularized on this Subject Knowing that it will be taken Notice off if addressed to you —

I am Sir with perfect Respect Your Hum^{bl} Serv^{t}

Geo: Billings

Majabigwaduce Penobscot Sep^{t} 2^{d} 1785

The Hon^{bl} Rob^{t} T. Paine Esq^{r}

Petition of the Inhabitants of the Upper Plantation on the West Side of Penobscot.

The upper Plantation on the West side of Penobscot June 6, 1786.

To the Honorable, the Senate, and the House of Representatives in General Court assembled.

Your Memorialists beg leave to inform your Honors of our scituation (and we think) our inability (at present) to pay the tax levid upon us.

We have no title to our Lands.

Our farms, farming-tools, and live stock, have been greatly injured by the late war. Lumber affords little or no cash at all: Our fishery (this season) instead of relieving our necessities, hath involvd us into greater Difficulties: We have not a setl'd Minister within sixty miles, we propose immediately to settle the Gospel among us, which will be extremely difficult, if our tax is demanded at present. Taking these things into consideration; we flatter ourselves, your Honors will consider our case, and order our tax to be postponed for the present. Your Memorialists, as in Duty bound, shall ever pray.

James Bridge,
Robart Treat,
Jere^{h} Colburn,
Elisha Nevers,
Joshua Eayr,
Joseph his X mark Page,
Silas Hathorn,
Isaac freer,
Abraham freer
Daniel his X mark Spencer
Reuben Tourtellot,
William Colburn,
Andrew Gilman,
John Marsh,
Isaac his X mark Page,
Joseph his X mark Jurman
William his X mark Eayrs
Bangman his X mark Lowel
Ezra Davis
Joseph his X mark Page Jun^{r}
Andrew Webster,
Abraham Tourtellet
Daniel Allen,
Nathaniel Tarr,
James his X mark Page
Jn^{o} Crosby,
Eb^{r} Crosby,
Richard Blogdet,
Nathan Emery,
Thomas howerd,
John Emery,
John Smart,
Abner Tibbets,
George Tibbets
Daniel Camwell,
James Deming

Petition of Selectmen of Pownalboro' in re Wiscasset.

Common Wealth of Massachusetts
To the Honourable the Senate and house of Representatives
June 1786 —

The Petition of the Select men of the Town of Pownalboro' Humbly Sheweth, that the port of Wiscaset in Sheepscott River being the Principle place of Trade in the County of Lincoln, and the Merchants & Masters of Ships & other Vessels are obliged to go to Boothbay to Enter & Clear the Same — which is more than fifteen miles, and obliged to Cross Rivers and go through Woods in the worst of Roads, whereby the whole place Labours under many disadvantages, and the Revenues of the CommonWealth Rendered Doubtful & uncertain,— We therefore humbly pray your Honours that an act of Court may pass makeing Wiscasset in Sheepscott River a Naval Port, and that some Suitable person may be Chose as Naval Officer for said Port, and we as in Duty bound will ever pray —

David Silvester Georg Lilly } Selectmen for Pownalboro

Governor's Message June 8th 1786.

Gentlemen of the Senate and Gentlemen of the House of Representatives —

The Major Generals chosen for the several divisions of Militia have respectively accepted the choice: and Commissions have in consequence of it been sent to them viz[t]

To Major General Lincoln of the first division comprehending the County of Suffolk

To Major General Titcomb of the second division comprehending the County of Essex

Major General Brooks of the third division comprehending the County of Middlesex —

Major General Shepard of the fourth division comprehending the County of Hampshire.

Major General Cobb of the fifth division comprehending the Counties of Plimouth, Barnstable, Bristol, Dukes County, & Nantucket.

Major General Goodwin of the sixth division comprehending the Counties of York and Cumberland —

Major General Warner of the seventh division comprehending the County of Worcester —

Major General Lithgow of the eighth division comprehending the County of Lincoln —

Major General Patterson of the ninth division comprehending the County of Berkshire

In carrying the militia laws into execution a difficulty has occurred in regard to the electing of Officers. In those laws no direction is given as to the time and manner of convening the electors, of collecting votes, and of certifying to the Governour the Officers elected: all which circumstances the Constitution requires should be regulated by standing laws.

In considering this matter, Gentlemen, you will please to consider also, whether in the new supplemental law (if you should think proper to pass such an one) it should not be provided, that all vacancies at the time of passing it, should be filled up within a given time; and all after-vacancies within a given time also, after they should respectively happen? Whether there should not be a prescribed mode of notifying the Officers of their election? and in cases, in which the electors refuse, or neglect, to meet and choose their Officers at the time assigned, whether the time and mode of notifying it to the Governor should not be ascertained, that, as soon as may be after the notification, he may appoint such Officers pursuant to the Constitution?

And if in any town, there should be a regiment or companies destitute of Officers should it not be made the duty of the Selectman of such town, on the requisition of the Major General, to notify the qualified electors to meet and elect their Officers; and in all respects proceed in that business according to law.

Would it not be proper also, that beside laws for regulating the militia in a time of tranquility, there should be formed a well digested body of martial law: to which recurrence may be had in any future exigency?

I have had a letter from the Major General of the first division upon the subject of the militia laws, which will be communicated to you

James Bowdoin

Council Chamber, June 8th 1786.

Stephen Smith Light Money Return; Machias.

Return of Light Money collected at Naval Office Machias from Decr 10th 85 to June 10th 1786

Date	Name	Tons	Master's Name	Where bound	Amount
1785					
Dec 17	Ship Elizabeth	200	Ebenr Alewd	West Indies	1 .. 13 .. 4
25	Sloop Polly	30	Jesse Noble	Rhode Isld	.. 5
1786					
Jany 2	Sch. Reward	60	Willm Widgery	West Indies	.. 10
May 1	Sch Betsey	60	Thos Jones	St Eustatia	.. 10
	Sloop Thomas	65	Thomas Adams	West Indies	.. 10 .. 10
19	Sloop Katy	70	Nathan Poor	New York	.. 11 8
June 8	Sch Hibernia	70	Joseph Obrien	West Indies	.. 11 8

Duty on Registers Collected

2 Registers 2/ }
1 Charterparty 3/ }

£4 12 6

.. 5 ..

4 17 6

Commissions for Collects 2 6

4 15

Machias June 10th 1786

True Return Stephen Smith Naval Officer

An Abstract of Naval Office fees from July 28th (the time directions were recd for keeping an Acco[t] of the same) to June 10th 1786

1785

Date		Vessell's Name	Master's Name	Amount
Aug[t]	1	Sloop 2 Friends	William Parry	.. 4
	20	Ship Cincinnatus	Jonathan Young	..13 .. 6
		Sloop Falcon	Dominicus Hovey	.. 8
		Sloop Magog	John Dillano	.. 6
		Brig[t] Hannah	Peter Dousett	1 3 6
		Scho. Nancy	William Powell	..12
Sep[t]	5	Brig[t] Olive branch	Samuel Tibbets	.. 9
Oct[r]	12	Sloop 2 Friends	William Parry	.. 4
		Sch. Dove	William Shannon	.. 4
	19	Sloop Nancy	William Smith	..15
Nov[r]	10	Sch. Olive branch	Israel Jordan	.. 4
	"	Sch. Hibernia	Joseph Obrien	.. 4
		Sch. Lucy	Elisha Rich	.. 4
		Sch Hibernia	Joseph Obrien	.. 4
Dec[r]		Ship Elizabeth	Ebenezer Attwod	..13
		Sloop Scarboro'	Phillip Cranole	.. 8 ..
		Sloop Dispatch	PhillipCrandell Jun[r]	.. 8
		Sloop Polly	Jesse Noble	..10
		Sch Reward	William Widgery	..10
		Sch Resolution	John M[c]Guyer	.. 6
Mar:	28	Sch. Dolphin	Rob[t] Barton	.. 4
April		Sloop Fanny	Tho[s] Archibald	.. 4
		Sloop Sylvania	John Tylar	.. 4
May		Sch. Reward	Daniel Drinkwater	.. 8
		Sch Betsey	Thomas Jones	..14
		Sloop Sylvania	John Tylar	.. 3 8
	19	Sloop Katy	Nath[l] Poor	.. 7
	27	Sloop Thomas	Thomas Adams	..12 8
June	3	Sloop Sally	John Holland	.. 5
	8	Scho. Hibernia	Joseph Obrien	..12
			£12	.. 4 .. 4

Machias June 10th 1786

Stephen Smith N: Officer

Petition of Paul Reed of Boothbay.

In Senate June 1786

The Committee of both Houses appointed on the Petition of Paul Reed have attended that Service and ask Leave to report as their Opinion that the Petitioner have Leave to withdraw his Petition — which is humbly Submitted

David Sexton p^{r} Order

In Senate June 14th 1786.

Read and accepted

Sent down for concurrence

Sam^{l} Phillips jun^{r} Presid^{t}

In the House of Representatives June 15, 1786

Read and concurred

Artemas Ward Speak^{r}

To the honorable the Senate and House of Representatives for the Commonwealth of Massachusetts in General Court assembled,

the petition of Paul Reed of Boothbay in the County of Lincoln,— humbly sheweth, that in the year of our Lord 1781, your petitioner was on a cruize in a small privateer against the enemies of the United States, in penobscot bay boarded a Schooner commanded by one Robert Douglas, a british subject, who produced papers, certifying him to be owner of said Schooner, mean time your petitioner was chased by a british Ship and drove on Shore: said Ship took the said Schooner and delivered her to said Douglas; and some time afterwards, said Schooner was captured by an American privateer, and carried into Sheepscut river, & was libeled and tried before maritime Court, Eastern District, said Douglas & him only laid in a claim to said Schooner, but to no effect.

She was condemned to be a lawfull prize to the Captors. Afterwards your petitioner was prosecuted by one Billings Putnam of Newburyport for this same Schooner, said action was continued several Courts, and at length refered to a rule, and the said rule sat & judged upon the matter, when your petitioner was on a voyage to a foreign Country, and could not attend on the rule, and was disappointed of an attorney to attend in his name, notwithstanding the Rule went on, and awarded your petitioner to pay a large sum of money, without any hearing on the side of your petitioner wherefore your petitioner is of opinion that he has suffered great injury and injustice — Therefore your petitioner humbly prays your Honors would take the matter into your wise consideration & order that Judgment to be set aside, so that your petitioner may have a fair tryal in law, and your petitioner as in duty bound shall ever pray

Paul Reed

Commonwealth of Massachusetts

In the House of Representatives March 17th 1786

Upon the petition of Paul Reed of Boothbay, shewing that in the year 1781, he took a Schooner, commanded by one Robert Douglas, for which he was prosecuted by one Billings Putnam, in which prosecution he lost his law and prays for a rehearing —

Resolved, that the said Paul Reed notify the said Billings Putnam to shew cause, if any he has, on the second Wednesday of the first session of the General Court, why the prayer of said petition should not be granted, by causing the said Billings Putnam to be served with an attested copy of the said petition, and this order thereon, at least fourteen days before the said second Wednesday; and that Execution against said Paul Reed, be stayed in the meantime —

Sent up for concurrence

A Ward Speaker

In Senate March 24th 1786
Read and Concurred
Saml Phillips Presidt
Approved James Bowdoin
A true copy
Attest John Avery junr Secry
Secretarys fees 3/c

Essex May 20th 1786
I have Notifyed the within named Billings Putnam by Leaveing an attested the within Petition and order of the General Court thereon at his the said Putnams Last and usual Place of Abode
William Ingalls Deptv Sheriff

I the subscriber do certify that I am well knowing that at the Time a Judgment was Recovered by Billings Putnam against Paul Reed sd Reed was on a voyage to st Peeters Newfound Land I further Certify that I Saw a Letter Derected to sd Reed from General Tetcomb of New bary port who I understood was Chareman of the Rule the purport of which was that when Ever he the sd Reed Could find it convenant for him to attend at sd Newbaryport they ware Redy to Set on the matter which Letter I Saw Just before Reed Sailed, & he Suposed the matter would have been posponed untill he Returned which provided that it be Canvassed with Capt Flatcher upon his return on my Jurney from the Eastward talking with others of sd Rule said Flatcher told me he was then & sence uneasey about the matter, as thay ware pressed by Putnom to set & Return there Award before the Cort and they ware oblidged to act without any evidence on Reeds part, and he suposed that if Reed had been present

Even without any Evidence but his own story it might have altred there Verdicts Very metearly. I am prety will aquainted with & sumwhat knowing to the Facts set forth in s[d] Reeds petition

W[m] M[c]Cobb

I Thomas Cooper of Lawful Age do Testify and say, that some time in the year One Thousand seven Hundred and Eighty one, I being a hand on board the Skooner Ann, Robert Fox Island, the said Douglass told to me, that he had a Pass Fox Island, the said Duglas told to me, that he had a Pass from Cap[t] Henry Mowit of Major Bagwayduce I likewise saw a bill of Sail of the said Skooner, which the said Duglass had of Billings Putnam of Newbury Port, likewise the said Duglass told me that his Pass would not lett him go any further then Owls Head Westward, the said Duglass told to me that he bought the Skooner Ann of Billings Putnam of Newbury Port, as a sham in Order to carry on Fishing, and to prevent the said Skooner from being taken by either side, the said Skooner was taken by Paul Reed on the Fishing ground —

And further sayeth not —

Thomas Cooper

Lincoln ss. Fox Island June 1[th] 1786, Then personally appeared the above named Thomas Cooper and after being carefully examined and cautioned to tell the whole truth and nothing but the truth, made Oath to the above declaration, by him subscribed, taken at the Request of Paul Reed of Boothbay taken before me

W[m] Vinal Jus[t] Pacis

Superscribed: To the Honourable General Court at Boston

Deposition of Thos Cooper — June 1 — 1786

Commonwealth of Massachusetts

In the House of Representatives March 17th 1786.

Upon the petition of Paul Reed of Boothbay shewing that in the year 1781 he took a Schooner commanded by one Robt Douglass for which he was prosecuted by one Billings Putnum in which prosecution he lost his law & prays for a rehearing

Resolved that the said Paul Reed notify the said Billings Putnum to shew Cause if any he has) A why the prayer of said Petition should not be granted, by causing the said Billings Putnum to be served with B a Copy of the said Petition & this order thereon at least fourteen days before the C second Wednesday D of the seting of the next General Court E and that Execution against said Paul Reed be stayed in the meantime.

Sent up for concurrence

A Ward Speaker

In Senate March 24th 1786

Read and concurred with amendments at A, B, C, D.

Sent down for concurrence

Saml Phillips junr Presidt

At A insert, on the second Wednesday of the first session of the next general Court — At B dele a and insert an attested C insert said D dele from D to E

In the House of Representatives March 24, 1786

Read and concurred

A Ward Speaker

Approved James Bowdoin

Essex Ss Commonwealth of Massachusetts

At the Supreme Judicial Court of the Commonwealth of Massachusetts begun & held at Ipswich within and for the

County of Essex on the third Tuesday June (being the fifteenth Day of said month) Anno Domini 1784 —

Billings Putnam Ap^{t} vs Paul Reed

The Parties agree to refer this Action to Gen^{l} Titcomb Moses Frazier Esq^{r} and Cap^{t} John Fletcher the report of whom or any two of whom to be made as soon as may be and judgment thereon to be final & execution to issue accordingly & if either party shall neglect on due notice to appear between this & next Term; then on the next reasonable Notice the referees to proceed ex parte —

Att Cha^{s} Cushing Cler

Newbury Port 8 June 85

We the Subscribers being appointed Referees as abovementioned in the Action of Billings Putnam agst Paul Reed after having given the Parties due Notice of the time fixed for our attendance on the same and upon examining the papers and accounts &c which are Laid before us — find that there is due to Said Putnam Ap^{t} from said Reed the Sum of £120 & report that said Putnam is Justly intitled against s^{d} Reed to the said £120 with cost of suit &c — Cost of Reference & Postage £3

Jon^{a} Titcomb, John Fletcher, Moses Frazier

Essex Ss June Term at Ipswich 1785

Report read and accepted and Judgment according to the Report

Jn^{o} Tucker, Cler

A True Copy Att Cha^{s} Cushing Cler.

To the Honourable the Senate and House of Representatives, of the Commonwealth of Massachusetts in General Court assembled —

Humbly shews — Billings Putnam of Newbury Port in the County of Essex, in answer to the Petition of Paul Reed of

Booth Bay in the County of Lincoln, praying to set aside a Judgment recovered by your Respondent, and to be admitted to a trial at law of the action, in which the said judgment was rendered: that the said judgment ought not to be set aside, because, after the action had been pending some time from the delays of the said Paul, the Parties agreed to refer the determination thereof, by a Rule of Court, to impartial men chosen by the parties — That your Respondent was apprehensive, that the said Paul would further delay the decision of the cause, by refusing to appear before the Referees, and to prevent which, it was agreed by the parties, that if either of them refused to appear upon reasonable notice, the Referees might proceed ex parte — That the Referees gave repeated notice to the said Paul to attend, and to give time even to the most dilatory person, deferred making their report for a year — that thereupon the said Paul wrote them his defence, and sent them all the evidence his cause would admit of, and told them in his letter, that he did not conceive his presence necessary, and submitted the cause to them upon his written defence, and the evidence sent them — That your Respondent had no council to assist him, and only laid his evidence before the Referees — who thereupon made their report — If it was fit to go into the merits of the cause, your Respondent has no doubt but he could shew your Honours, that the Referees determined justly — That he was the owner of the Vessell, that she was employed in fishing, and that one Beal was the skipper, and Douglas had no concern in her — What became of her, after the said Paul had unjustly wrested her from him, he knows not, but this he knows, that he has wholly lost her — Of these matters he does not go into the consideration — as he is advised, that your Honours do not enquire into the merits of the cause, but whether the Petitioner has been deprived of the Benefits of the law, without any neglect of his own — Your respondent humbly conceives, that the said Paul

has been heard before the Referees as fully as if he had been personally present, and that his being absent was owing wholly to his own neglect, which ought not to prejudice your respondent — The said Paul had expressly agreed, that if he did not attend upon notice, the Referees should proceed ex parte, and that judgment should be final on their report — Upon this state of facts, which your respondent is ready to verify by the records of Court, and the affidavits of the Referees, one of which (General Titcomb) has a seat in the House of Representatives, your Respondent prays that the said Paul may be held to his agreement, that his Petition may be dismissed, that your Respondent may not again be compelled to go thro' a cause of law to establish his right, at a great expence to himself, and to the delay of Justice — And your Respondent as in duty bound shall ever pray —

Billing Putnam

June 5th 1786 —

I Thomas Beverage of Lawful Age do Testify and say, that some time in the year one Thousand seven Hundred and Eighty one, That Robert Duglass Then an Inhabitant of Fox Island, Procured a Pass of Capt Henry Mowit in my Presents, for Fishing and was restrickted in the said Pass from carrying his Fish into any American Port, The said Duglass told to me that he Bought the Skooner Ann Burdend about Thirty Tons, of Billings Putnam of Newbury Port The said Duglass told to me, that he had a bill of sail from the said Putnam, of the said Skooner, for the Purpose of Securing the Skooner, against the Enemies of the United States, as he was a great Favourite of the Britains, likewise he said that their was a Verbal agreement betwixt him & the said Putnam, that if she should run safe untill the fall of the Year, the said Putnam would put on Board the said Skooner, one Hundred Pounds

worth of Goods for the said Douglass to tray'd upon, within the British Lines, he likewise said that Putnam had been a trying some time to get a man that he could trust, that lived within the British Liner so that he mite open a trayd this way — And further saith not —

Thos Beverage

Lincoln Ss. Fox Island June 1th 1786. Then Personally appeared the above named, Thos Beverage and after being carefully examined and cautioned to till the whole truth and nothing but the truth, made Oath to the above declaration by him subscribed, taken at the Request of Paul Reed of Boothbay taken before me —

Wm Vinal Jus Pacis.

Johnson Moultons Acct Sheff of York.

May it please your honors

The Treasurer begs leave to lay before the Honble House of Representatives the account of Execusion issued against delinquent Collectors in the County of York committed to Johnson Moulton Esqr Sheriff of said County By which it appears that the Sum of Nine thousand four hundred & forty two pounds six shillings & two pence, remains due on Executions in the hand of the said Sheriff

Thomas Ivers Treasr

Treasury Office 15th June 1786

The Hona the House of Representatives

May it please your Honors

The Treasurer begs leave to Represent that Johnson Moulton Esqr Sheriff of the County of York has Adjusted his account of Executions against Delinquent Collectors of Taxes

in the said County. By which it appears that the sum of Four hundred & eighteen pounds ten shillings & six pence remains due from him for the balance of Executions return'd satisfied, And the sum of Ten Thousand Four hundred & fifty three pounds three shill^{s} & seven pence half penny remains due on Executions agreeable to the List herewith Inclosed —

Thomas Ivers Treas^{r}

Commonwealth of Massachusetts Treasury office 8 February 1786.

Due from Johnson Moulton Esq^{r} £418.10.6 Due on Executions p^{r} list 10453—3—7½ Total 10861.14.1½
The Hon^{a} House of Representatives

List of Executions unsettled by Johnson Moulton Esq^{r} Sherriff of York County.

Collectors Names	Towns			
New Emission Tax 1781				
Daniel Emery	York	56	17	2½
Jacob Whittier	Berwick	65	2	8½
Joseph Leavitt	Buxton	87	10	6
John Sayward	Sandford	26	14	7
Alexander Grant	Coxhall	145	0	2
Thomas Perkins	Arundell	64	1	0
Nath^{l} Gould	Wells	174	3	5
Abraham Annis	d°	190	15	1
Joseph Chadburne	Littlefalls	53	2	0
Thomas Durrell	Arundell	4	0	9
Obediah Hatch	Wells	143	16	5
Noah Parker	Kittery	34	11	5
		1045	15	3
October 1781 Tax				
Daniel Emery	York	73	17	5
Noah Parker	Kittery	46	14	11

John Grant	Berwick	96	6	5
Thomas Perkins	Arundell	161	3	7
Joseph Leavitt	Buxton	76	4	3
John Sayward	Sandford	61	10	4
Obediah Hatch	Wells	159	6	4
Thomas Durrell	Arundell	190	15	5
Abraham Annis	Wells	173	6	7
Nath[l] Gould	d°	28	12	10
Dodivah Bickford	Biddeford	49	10	10
Joseph Chadburne	Littlefalls	107	4	1
Alexander Grant	Coxhall	180	0	0
William Durgen	Limerick	44	11	2
		1449	4	2
On Class Tax				
Moses Hodgdon	Berwick	74	1	8
Mark Barker	Arrundell	74	1	8
Jonathan Tibbets	Sandford	21	11	8
Benjamin Hodgden	Berwick	118	3	4
		287	18	4
on Beef Tax				
	Lebanon	170	14	8
	Massabesec	107	14	8
	Biddeford	130	0	0
	Littlefalls	52	0	4
	Arundell	265	12	9
	Berwick	155	6	0
	Buxton	282	5	0
	Limerick	29	15	0
	Coxhall	92	17	4
	Brownfield	29	15	0
	Sandford	97	10	0
	Pepperellborough	228	18	0
	Kittery	167	13	0
		1810	1	9

on Continental N° 1				
Samuel Clark	York	99	8	4
Noah Staples	Kittery	44	16	4
William Jefferds	Wells	82	18	1

Governor's Message — June 19, 1786.

Gentlemen of the Senate and Gentlemen of the House of Representatives

By a Letter from James Avery Esq[r] our Excise Officer at Machias to the Secretary, dated at Majabagaduce, of the 31[st] of May, and which accompanies this Message, it appears, that in each Bastion of the Fort, which the British Troops built upon that land, there were Arches and apartments of great thickness, and Bomb-proof, in which there cannot be less than four or five hundred thousand of Bricks: That one M[r] Perkins is now pulling down those Arches, and selling the Bricks to the inhabitants as his property, as being on land belonging to him by possession: That this proceedure must be an injury to the public, as he conceives those Arches, and the whole remains of the Fort, are in fact the property of the Commonwealth, upon whose land the Fort was built: And that the Bricks, if properly taken care of, would be of considerable value to the Government. If this should be your Opinion, Gentlemen, the measures, necessary to be taken to secure them for the use of the Government, cannot be too expeditious —

James Bowdoin

Council Chamber, June 19[th] 1786

Bill Empowering y[e] Sessions to Lay out roads through Plantations.

Commonwealth of Massachusetts in the year of our Lord 1786

An Act to empower the courts of Sessions in this Commonwealth to lay out roads through Plantations

Whereas there is no Law making provision for opening and maintaining of Roads in, and thro Plantations, within this Commonwealth, Be it therefore enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Courts of General Sessions of the Peace within the respective Counties of this Commonwealth where such Plantations lie, be, and they hereby are authorized and impowered, upon application to them made by the inhabitants of such Plantations, or the major part of said inhabitants, to cause such Road, or Roads to be laid out, in such manner as may be most beneficial to the Public, and least prejudicial to private property. The charges of which shall be borne by the County in which said Road or Roads are laid. And the costs of opening and repairing said Roads, when so laid out, and accepted by the Court of Sessions ordering the same, shall be borne by the Plantation or Plantations thro' which said Roads are laid out. and shall be assessed in due proportion upon the polls and estates of the inhabitants, and on the lands in said Plantation, or Plantations respectively, where the costs of opening and repairing said Roads may arise. And shall be collected and paid into the treasury, or treasuries of such Plantation, or Plantations respectively, for the purpose of defraying the charges aforesaid, in the same way and manner, as other assessments are made and collected, until said Plantation, or Plantations shall be incorporated. And the Plantations thro which said Road, or Roads are laid out and accepted in manner as aforesaid, shall be liable to be presented by the Grand Jury of the County in which they lay, for not opening & repairing said Road, or Roads, as they would be if incorporated into towns

In the House of Representatives June 24, 1786.

This Bill having had three several Readings passed to be Engrossed

Sent up for concurrence

A Ward Speaker.

Petition Selectmen of Falmouth.

To the Honorable Senate and the Honorable House of Representatives of the Commonwealth of Massachusetts in General Court assembled

The Petition of the Selectmen of the Town of Falmouth in the County of Cumberland in said Commonwealth — humbly shews —

That, about eight months since, the lower Bridge upon Presumpscot River in said Falmouth was with several other Bridges in said Town carried away by an uncommon Freshet — That the Inhabitants of said Town at the Expence of more than Six hundred Pounds have repaired all but the first mentioned Bridge — several of which were again greatly injured by another very high Freshet the last Spring — That a Bridge near where the lower Bridge aforesaid stood is very much wanted not only for the accommodation of the Inhabitants of said Town but of all the Towns through which the County Road passes and for all Persons who travell to the Eastward That the said Town of Falmouth are burthened with the expence of maintaining four other large Bridges over Presumpscott River the least of which is two hundred and thirty seven feet in length — and one over Stoutwater River which is three hundred & ninety feet long, besides five Bridges over Piscataqua River of one hundred & thirty feet in length each — and a number of smaller Bridges which in the whole occasions a very considerable Expence. — That every Town in the County aforesaid except the Towns of Gorham and Standish is greatly benefited by one or others of these Bridges — and some much more than the said Town of Falmouth itself. — That this Town is utterly unable at its own Expence to rebuild the Bridge first abovementioned and that in the Opinion of your Petitioners it ought to be built and maintained by the several Towns in the County excepting the s^{d} two Towns of

Gorham and Standish — They therefore pray that your Honors would impower & direct the Court of General Sessions of the Peace for s[d] County to cause a Bridge to be built in the most convenient place over the lower part of the River aforesaid — and to raise such a Sum upon the Towns aforesaid — viz the several Towns in the said County, excepting as aforesaid as shall be necessary to compleat the same — or make such other provision for building of said Bridge as your Honors shall judge best — And as in duty bound will pray —

Nath[l] Carll, James Frost.

Falmouth June 15, 1786.

Note The Bridge aforesaid was original built by Lottery — and Application was not long since made to a former General Court to repair it in the same way but the Court judged it inexpedient to comply with this Request.

Common Wealth of Massachusetts

In the House of Representatives June 29[th] 1786.

On the Petition of the Selectmen of the town of Falmouth in the County of Cumberland, praying that a Bridge may be built Over the lower part of Pesumpscot River in said Falmouth, at the expence of said County —

Ordered, that the Petitioners notify the several Towns, in said County, by publishing said Petition, with their Order thereon in the Falmouth Gazette, three Weeks successively, before the second Wednesday of the next Session of the General Court, then to shew Cause if any they have, why the Prayer of said Petition, should not be Granted —

Sent up for concurrence

Artemas Ward, Speaker.

List of Towns which have not Returned an ac^{o} of their assessments of N^{o} 5 Tax granted 1786.

List of towns that have not made returns of their assessment of N° 5 tax, granted Mar. 1786.

County of Middlesex, Malden 806 .. 5 County of Hampshire, Charlemont 274 .. 14 .. 9 Ludlow, short returned 10 .. — .. of—Plantation N° 7 — 121 .. 11 .. 3 Total 406 .. 6— County of Barnstable, Sandwich 1143 .. 17 .. 6 Eastham 622 .. 0 .. 6 Provincetown 114 .. 13 .. 9 Total 1880 .. 11 .. 9 County of Bristol Dartmouth 4628 .. 19 .. 6 County of York, Wells 1697 .. 8 — Massabesec 225 .. —Brownfield 90 .. — Littlefalls 180 .. — .. —, Little Ossipee 197 .. 10— Washington plantation 105 .. 18 .. 9 Francisboro' plantation 105 .. 12 .. 6 Total 2601 .. 9 .. 3 County of Nantucket, Sherburne 2124 .. 11 — County of Cumberland, Windham 502 . 10 — Gray 219 .. 1 .. 3 Royalsborough 210 .. — .. — Raymonstown 97 . 10 .. 10 Bakerstown 160 .. 12 .. 6 Bridgetown 127 . 3 . 9 Shepardstown 123 . 15 — Otisfield plantation 90 .. — .. — Total 1530 .. 13 .. 4 County of Lincoln, Georgetown 837 .. 5 — S^{t} Georges 262 . 3 . 9 Walpole 195 . 12 . 6 Wales 96 . 5 — Canaan — 170 .. 18 . 9 Meduncook 175 . 18 . 9 Norridgewock 116 . 5 — Sterlington 65 .. — .. — Belfast 78 . 8 . 9 Machias 302 .. 10 .. — Cambden 98 .. 2 .. 6 Hancock 159 . 7 . 6 Mount Desert planta^{n} 228 . 15 — Plantation N° 1 East of Penobscot—101 .. 5—Ditto N° 2 ditto 105 . 12 . 6 ditto N° 3 ditto 342 . 3 . 9 ditto N° 4 ditto 180 . 12 . 6 ditto N° 5 ditto 155 . 18 . 9 ditto N° 6 ditto 155 . 18 . 9 Plantation N° 1 East of Union River 185 . 18 . 9 ditto N° 2 ditto 169 . 13 . 9 ditto N° 3 ditto 121 . 11 . 3 ditto N° 4 ditto 72 . 10 — ditto N° 5 ditto 152 . 3 . 9 ditto N° 6 ditto 118 . 2 . 6 Plantation N° 22 East of Union River 61 .. 5 — Plantation on the West side of Penobscot River from Belfast, so far up the river as to include the Widow Wheelers Mills 158 .. 15 .. 0 Plantation on

y^e^ west side of Penobscot River, from Widow Wheelers Mills, up the river 133.8.9 Deer Island plantation in penobscot Bay 331..17..6 Fox Island plantation 191.17.6 Penobscot Lond Island 117..16..8 Total 5643.4.2 County of Berkshire, Williamstown short return'd 29..15— Partridgefield 457.0.3 Total 486..15..3 Grand Total £20, 108..15..3 Treasury Office July 3^d^ 1787

Attest Alex^r^ Hodgdon Treas^r^

Governors Message July 7, 1786.

Gentlemen of the Senate and Gentlemen of the House of Representatives

The last evening by M^r^ Henry Thaxter I received a letter from Stephen Jones and James Avery Esq^rs^, dated at Machias the 29^th^ of June. They mention in it, that by letters from Colonel Allan and M^r^ Delesdernier (a copy of which was enclosed) they are informed of a most daring insult upon the dignity of the Commonwealth and the United States, committed on the 26^th^ of that month by the civil and custom house Officers of the British Province of New Brunswick, in seizing two vessels, the property of the Citizens of this Commonwealth, and within the acknowledged Jurisdiction of it. Colonel Allan's letter, dated at Dudley Island the 27^th^ June mentions, that the Acts of New Brunswick, which are now published, extends the Western boundary of Charlotte County to the western shore of Passamaquoddy Bay; that the seventh Parish, called the West Isles, include Moose, Dudley, and Frederick Islands expressly; and consequently that the United States are wholly debarred from all navigation in & into that Bay.

By enquiry of M^r^ Thaxter I find the two vessels were seized, as they lay at anchor near the Western shore, of the

West Passage into Passamaquoddy.— This conduct corresponds to those acts, and both together shew a disposition to exclude us from the navigation of that Bay; and at the same time must be considered as a violation of the definitive Treaty of Peace between the United States and Great Britain

I have lately received depositions from Mr Avery abovementioned, dated the 12th of May at Moose Island, concerning the conduct of Sheriff Weir, an Officer of New Brunswick: which have been obtained in consequence of a Resolve of the General Court passed at the last Session.— These with the letters above referred to, will be laid before you, Gentlemen, for your information, and determination concerning the subject of them.

James Bowdoin

Council Chamber July 7th, 1786.

William Webb's Acct as Naval Officer of Bath.

An Account of all the Money Received by Wm Webb Navl Officer for the Port of Bath, since the 18th day of July 1785 (wh was the day he Enter'd upon the Business) to the 18th July 1786 — Vizt

For Entries & clearances &c &c 48.16.2		
For Registers (Sec'ry fees included) 7.. 0..0		55..16.. 2
For Duties on Do	0..19..0	
For light Money	29..19..8	30..18.. 8
		£86..14..10
Treasurer's Office to Wm Webb Dr		
To Cash pd Thos Ivers Esqr as pr Recr Novr 7th 1785		9. 0.0
To Do pd Ditto as pr Recr April 10th 1786		9. 0.0
To Do I shall enclose with this Acct		12.18.8
		30..18..8

Rich'd Trevett Esq^rs Office fees County York.

Naval-Office Port of York } Commonwealth of Massachusetts

A true account of office Fees by me rec^d between the 21^st of April & the 20^th of July 1786

1786, April 27^th Schooner Two-friends, Jeffery Mushemore Master, a yearly Pass a fishing and Indorsing Register } £0 — 7 —, May 1^st Sloops Speedwell, Thomas Harmon Master Clearence for the West Indies 10/ Certificate for Light money 1/} — 11 —, May 5^th Sloop Abigal, Zebulon Harmon jun^r from New York } — 4 —, May 6^th Schooner Fancy, John Harmon jun^r Master, Clearence for the West Indies 10/ Certificate for Light Money 1/} — 11 —, May 6^th Sloop Active, Geo: Thompson Master from Philadelphia 4/ Permit to unload 1/ Certificate to Cancel Bond 1/6} — 6 — 6, 16^th Schooner Industery, Sam^l Baker master a yearly Pass a fishing Vessell 6/ Indorsing Register, 1/} — 7 —, 17^th Sloop Tryal, Isaac Pope, Master, Register 4/ (Exclusive of Secretary's fee) — a yearly Pass, a Coaster 6/} — 10 — 19^th Sloop Abigal, Zebulon Harmon jun^r Master a yearly Pass a Coaster 6/ Certificate for Light money 1/} — 7 —, 20^th Jeremiah Weare jun^r Master Sloop Aurora, a Register 4/ a yearly Pass 6/ a Coaster } — 10 —, 20^th Sloop Ranger, Rich^d Littlefield Master, a yearly Pass 6/ Indorsed Rigister 1/ Certificate for Light money 1/} — 8 —, 22^d William Seeward, Master of Boat Seaflower a Coaster a yearly Pass — 6 —, 22^d Schooner Union, Sam^l Winn master, for West Indies 10/ Certificate for Light Money 1/} — 11 —, 26^th Schooner Polly, Sam^l Lindsey master, a Register 4/ a yearly pass a fishing Vessell 6/} — 10 —, June 3^d William Seeward in Boat Seaflower from Boston Report } — — — 6, 8^th Schooner Lively, Henry Mushemore Master, a yearly Pass a fishing Vessell 6/a Certificate for Light money 1/} — 7 — 20^th Schooner Two-friends, William Grow junr a Short Clearence a trip a

Mackril Catching } — 2 —, 23d William Seeward in Boat Seaflower from Boston Report } — — 6, 26th Schooner Julias Ceasor, Shadrach Bell, a Register 4/ a Short Cleerance a Mackril Cetching 2/} — 6 —, 26th Schooner Seaflower, William Welch master, a Register 4/ a yearly Pass a fishing Vessell 6/} — 10 —, July 5th Sloop Speedwell, Thomas Harmon Master from St Eustatia & permit to unload } — 11 —, 7th Sloop Seaflower, Zebulon Harmon Master, a yearly Pass 6/ & Certificate for Light money — 7 —, July 8th Schooner Fancy, John Harmon junr Master from St Martins & permit to unload } 0 — 11 —, 8th William Seaflower, in Boat Seaflower, from Boston report 0 — 0 — 6, 13th Boat or Schooner Sally, Edwd Low for Piscataqua Coast Wise 0 — 2 — 6 Total £8 .. 6 .. 6

This Contains a just & true account of all the Fees I have Received up to the 20th of July 1786 to the best of my Knowledge, Since the Last return

Attest Richd Trevett
Naval officer for the Port of York

York Ss Augt 30th 1786 Then Richard Trivett aforesaid made Oath that the foregoing Account of fees by him Received in the Naval office is the Whole amount of them, within the Term in the same account mentioned, Before me

David Sewall Jus Peace.

Petition of Nathaniel Low.

To The Honorable the Senate of the State of the Massachusetts and to the House of Representatives in General Court Assembled

The Petition of Nathaniel Low of Winslow in the County of Lincoln Humbly Sheweth

That where as your Petitioner was Chosen Constable and Collector of Taxes in the Town of Winslow for the year 1780 and their was three Taxes Delivered to him to Collect two paper money Taxes and one hard money and in those bills their was Sundrey lots of land belonging to nonresident Proprietors and no Person appearing to Pay Said Taxes your Petitioner applied to Mr Gill to advertize Said lots according to his warrant and as your Petitioner was alltogether unacquainted in the matter he carryed all his lists and layed them Down before Mr Gill and Desired him to advertise them in his paper according to the Tax act and Mr Gill took them and advertised them in his paper to be Sold the tenth Day of December then next at the house of Joseph Carter in Winslow and your Petitioner Notified in Winslow according to his warrant and attended the time of Sale but the wether promesing very stormey no Person appeared to Purches and as the Season was and the river about Shuting up your Petitioner thought if he did not adjourn for some time he should loose the advertising and he adjourned to the 28 Day January then next and then within three Days Sold all the land advertised which he had Notified in Winslow the Second time: But Mr Gill made Some mistake in advertising Said lots and Did not Put the Number Just as the assessors Did thair was 2400 acors marked A1 A2 Taxed 15/6 hard money and £110 paper money: and Mr Gill in his Advertisement Put it 2400 acors marked B 2 15/6 hard money and £100 paper money now your Petitioner struck of A 1 A 2 to one James Huston who Paid the taxes and Intervening Charges and has Since that time Paid three Taxes more for Said land and is now Taxed in two more and no Person has ever tendered him any money for Said Taxes but at September court 1785 William Tayler Esq of Milton brought an action of Rejectment against Said Huston for Said land and at the Superiour Court at Pownalborough in July last said Huston lost his

Case because of that Small Mistake in the Advertisement tho the Sum of the tax and the Number of acors was rite which is all Required in the Tax act and your Petitioner being but a Country farmer and not understanding these things Did not See their was any mistake and now said Huston has brought his action of Damages against your Petitioner which if it should go against him will Ruin him he therefore prays your Honours to take it into your wise consideration and if you shall in your Great Wisdom and Goodness see meet to allow said advertisement to be Good and order Execution to be stayed against said Huston and he be allowed liberty to Revew his action at the next Superiour at Pownalborough it will Releive Petitioner and he as in duty bound Shall ever pray

Nathaniel Low.

Winslow September the 29 : 1786

Petition of Bridgetown Plantation.

Commonwealth of Massachusetts October 1786 }

To the Hon^ble^ the Senate and the House of Representatives of the Common Wealth aforesaid in General Court assembled

The inhabitants of the Plantation of Bridgeton humbly shew that whereas in time past they have repeatedly Petitioned this Hon^bl^ Court that they might be free^d^ from paying a Publick Tax for the present. That they have plainly Set forth their Situation and Sircumstances which are Such as renders it Out of their Power to Rais Even a Very Small Sum of Money on any Occasion. That they have likewise pray^d^ this Hon^ble^ Court that there might be a Com^tee^ Sent to View them whereby their Sircumstances might be fully known to the Court, But your Petitioners have not been So happy as to have the prayer of their Petitions Granted as

appears by an Execution which has Lately been Sent to the Sherriff of the County of Cumberland for Taxes Leveyd uppon s[d] plantation in 1778 and 1779. That in addition to the Difficulties Mentioned in their Former petitions there has an Epidemical Distemper prevailed amonguest them in the year past that has Swept away more than one Sixth part of the Inhabitants. Permit your petitioners therefore (who stand Shuddering at the appearance of the Evils they must soon feel) once more to Solicit your Honours that the Prayer of their former Petitions may be Granted in freeing them from paying a Publick Tax for the present and Give Order that s[d] Execution may be with Drawn, or that they may be Reliev[d] in Such Other Manner as your Honour[s] Wisdom may Suggest and as in Duty Bound Shall ever pray

John Peabody, Enoch Perley, Isaiah Ingals } Com[tee]

Governor's Address in re Indians.

Gentlemen of the Senate and Gentlemen of the House of Representatives

The Commissioners appointed by a resolve of the General Court of the sixth of July last, to treat with the Penobscot tribe of Indians, respecting their claim to lands on Penobscot river have, with their letter to me, dated at Penobscot the 30[th] of August, transmitted a report of their proceedings with those Indians.

By the report it appears, that it was agreed by the said Indians on their part, that they would relinquish all their claims and interest to, & in all the lands on the west side of Penobscot river, from the head of the tide, up to the river Pasquataquis, being about forty three miles; and all their claims and interest on the east side of the river, from the head of the tide aforesaid, up to the river Mantawomkeektook,

being about eighty five miles; reserving only to themselves the Island, on which the old town stands, about ten miles above the head of the tide, and those islands, on which they now have actual improvements, in the said river, lying from Sunkhaze river about three miles above the said old town to Passadunkee Island inclusively, on which island their new town, so called, now stands.

In consideration hereof the Commissioners, in the name & behalf of the Commonwealth, engaged, that the said Indians should hold and enjoy in fee the islands reserved as aforesaid, and the fee of two islands in the Bay, called and known by the names of white Island and black Island, near Naskeeg point.— And the Commissioners further agreed, that the lands on the west side of the river Penobscot to the head of all the waters thereof, above the said river Pasquataquiss, and the lands on the east side of the river to the head of all the waters thereof, above the said river Montawomkeektook, should lie as hunting ground for the indians; and should not be laid out or settled by the State, or engrossed by any individuals thereof and they further agreed to make the Indians a present of three hundred and fifty blankets and two hundred pounds of powder, with a proportion of shot and flints.

And the Indians on their part further agreed & engaged that as soon as the agreement should be confirmed on the part of the Commonwealth, and the blankets, powder, shot and flints delivered, that they would sign a relinquishment of all their right and interest to the lands, agreeably to the above contract.

The sketch of the river from the head of the tide to its source, will give an idea of what the indians have surrendered, & what they retain.

As the Commissioners think it a matter of real importance, that the blankets and other articles should be forwarded as

soon as may be, you will probably think fit, Gentlemen, to make provision for that purpose; and appoint the Chairman, or some one of the Commissioners, to compleat the negociation, by delivering to those indians the stipulated articles, upon his receiving, in behalf of the Commonwealth, a proper deed of the ceded lands. At the same time he should be instructed to attend to their complaints, in regard to the fraudulent conduct of a french Priest among them.

The same Commissioners, by their report and letter of the 12th of September, have in consequence of their instructions, given it as their opinion, that it is a matter interesting to the Commonwealth in General, as well as to the inhabitants settled to the eastward of Penobscot river, that a road should be opened there-from eighty feet wide to the bay of Passamaquoddy near the mouth of Schooduck river: the lines of which road are particularly described:— That there is a number of Plantations to the eastward of Penobscot river, proper to be incorporated and whose circumstances require it:— That there is a number also to the westward of Penobscot, to whom incorporation would be beneficial: but the Commissioners are restrained from reporting as fully in favor of incorporations on that side of the river, because the limits and extent of several Patents & claims are not yet ascertained and agreed on:— That the great remove of the people in the eastern part of the County of Lincoln, from the Courts of Justice, makes it needful, that two new counties should be formed there; the lines of which are described:— That many marriages having been performed in that County, in a way not agreeable to law, a return of such should be made to the Secretary's Office for confirmation by acts of the Legislature:— That for want of the late tax-acts, they have not known in what mode to make assessments of taxes:—That a new edition of the laws, especially for that Country, has become highly necessary: and that a Proclamation should be issued relating to, & forbiding

all trespass on, lands there belonging to the Commonwealth.

These matters, Gentlemen, concerning which the several reports and letters of the Commissioners will give you fuller information, appear to merit the attention of the General Court

James Bowdoin

Council Chamber October 4th 1786 —

In Senate Oct^{r} 4th 1786.

Read & committed, with the Papers accompanying to Cotton Tufts & Tristram Dalton Esq^{rs} — with such as the Hon^{ble} House may join, to consider & report —

Sent down for concurrence

Sam^{l} Phillips jun^{r} Presid^{t}

In the House of Representatives Oct^{r} 5, 1786

Read and concurred and M^{r} Fisher M^{r} Jarvis and M^{r} Ward of Salem are joined

Artemas Ward Speaker

Report of Committee on Penobscot Indians.

Commonwealth of Massachusetts

To his Excellency the Governor and the Honorable the Council

May it please your Excellency and Honors —

In virtue of a resolve of the General Court, by which the under signers were on the 6th of July last authorized, to treat with the Penobscot Tribe of Indians, respecting their claims to land, on the river Penobscot; to make full enquiry into the nature and extent of their said claims, and by an amicable treaty to adjust & ascertain the same so far as may be practicable: And in behalf of this Commonwealth, by the use of all fair, open, and honorable methods to endeavor to obtain

from the said Indians, an acquittal & relinquishment of their possessions, and a release of all their claims, and pretensions, of title to the said lands; and in case the same cannot be obtained, to agree upon and limit the boundaries of their said claims and possessions on terms mutually advantageous and satisfactory to the parties.—

We met on the 28th Instant about sixty five of the said tribe, with four of their Sachems, or heads, who appeared as representatives of the whole, Viz, Orino, Ossang, called Esquire Ossang, Colonel John Neptune, & Victor Barvett,

We represented to them in the first place that by the termination of the war, a favorable opportunity offered for settling all the lands, in this part of the Commonwealth; therefore it was that the General Court, equally attentive to the Interest of the Penobscot Tribe, as to that of their other Inhabitants, had directed us to inquire into the nature and extent of their claims, lest in executing their designs of Settling their lands, they should infringe on those claims. This drew from the tribe a declaration that they would limit their claims to a small river about six miles above the head of the Tide, (which head of the tide was the boundary of their former claim,) thence to the head of the river, This claim they founded on the doings of the Provincial Congress at Watertown on the 21st of June 1775. We then explained to them the nature of that resolve, and that if they held all the lands mentioned therein, which was 6 miles on each side of the river from the head of the tide it would be of little use, if the state should settle the other lands, the strip left, would be no hunting ground for them, that it was therefore much for their Interest, to quit all pretentions to lands below for more extended limits above, After much time being spent on the Subject and in leading them into a belief that the state really wished to promote their happiness it was agreed by the said Indians on their part that they would relinquish all their

claims & Interest to all the lands on the west side of Penobscot river, from the head of the tide, up to the river Pasquataquiss being about Forty three miles, And all their claims & Interest on the east side of the river from the head of the tide aforesaid up to the river Mantanomkeektook being about 85 Miles — reserving only to themselves the Island on which the old Town stands, About 10 Miles above the head of the tide, and those Islands on which they now have actual Improvements in the said river, lying from Sunkhaze river, about 3 Miles above the said old town to Passadunkee Island, inclusively, on which Island their new Town so called, now stands. — In consideration hereof We in the name and in behalf of the Commonwealth engage that the Indians should hold and enjoy in fee the Islands reserved as aforesaid and the fee of two Islands in the Bay called & known by the name of White Island, & Black Island, near Naskeeg point, And we further agreed that the lands on the west side of the river Penobscot, to the head of all the waters thereof, above the said river, Pasquataquiss & the lands on the east side of the river to the head of all the waters thereof, above the said river Montanomkeektook, should ly as hunting ground for the Indians and should not be laid out or settled by the state or engrosed by Individuals thereof, & We further agreed as aforesaid to make the Indians a present of Three hundred & fifty Blankets, Two hundred pounds of Powder with a proportion of Shott & flints!—

We further report that prior to a termination of the above agreement and very early in the Conference we discovered a total aversion in the Indians to surrender all their claims agreably to a wish of the General Court expressed in the Resolve aforesaid.— The Indians were so far from doing this, that when they were urged to relinquish as far North as the west side of the river as on the east side they absolutely refused on any terms whatever, to comply with the proposition.

We then discovered that this could not be further insisted on, and we preserve that line of conduct which would give satisfaction to the Indians, a Circumstance which we desired to effect, as thereby we should at once gratify our own feelings, & we trust evidence our attention to the wishes of our Constituents, & the spirit of their Resolve.— The Indians further agreed & engaged that as soon as the agreement should be confirmed on the part of the Commonwealth, and the Blankets, Powder, Shott & Flints, should be delivered that they would sign a relinquishment of all their right and interest to the lands agreeably to the above Contract.—

Matters being thus agreed, the Tribe took leave of us with evident marks of Satisfaction in what had been done, and of esteem & Love to the Commonwealth.—

B Lincoln, Thos Rice, Rufus Putnam

Penobscot River, August 30, 1786.

Report in re Cannon lost Penobscot Expedition.

Penobscot September 12th 1786.

Sir

We have been honor'd with the receipt of your Excellencys order in council, of the 8th Ult° relative to the information, you had received, on the subject of Cannon recovered from those lost in Penobscot, after raising the seige against the enemys Post on that river —

We paid the earliest attention to the order, & although it is evident, that cannon have been recovered, besides those taken up by the enemy, yet we cannot learn by whom, & we see no prospect of there being regained, as it was done at a time, when the Country was fully in the power of the enemy — and as we have no reason to suppose that any of them are now in the hands of the present inhabitants.

Some more might possibly be taken from the wreck, yet probably, the expence of doing it, would much exceed the Value of such cannon when obtained —

We have the honor to be with Sentiments of great esteem Your Excellency's Ob^{t} Serv^{t}

B. Lincoln, Tho^{s} Rice, Rufus Putnam

His Excellency Governor Bowdoin

Letter of Committee in re Indians.

Commonwealth of Massachusetts

September 12th 1786

Sir

From a persuasion that it will be considered, as the duty & interest, of this commonwealth at all times, to pay a proper attention, to the reasonable complaints of the Indians within this State, and that policy and justice, unitidly, demand from us a redress of all their grievances where the means of it are within our power.— We are induced to relate to your Excellency, a complaint exhibited to us by Colonel John Neptune, one of the chiefs in the Penobscot Tribe, against the Priest appointed to officiate in that tribe; that he put into the hands of the Priest thirty seven Beaver skins which he engaged to sell for him in Boston; and account with him for the proceeds.— Upon the return of the Priest, some time since, he was informed by him that he could not pay for the skins, as the money was taken from him in Boston, to pay for some clothing, he the chief had these, which clothing at the time he received it, he supposed was given to him by the commonwealth.— If the Priest has made this declaration & it has no foundation in truth, he ought to be compelled to set the matter right, in justice to the State, and to compensate Neptune for the Skins.— If the account the priest has given

is true, and any officer of government, under their direction, has received the money, care should be taken in that case, to convince the Indian chief, that it was not intended, that the cloths should be given, and that he was in an error, at the time by considering the matter in that light.—

However small this may appear to be, and really would be, among our selves, yet it is of importance, as it relates to the Indians.— We are further induced to trouble your Excellency on the subject, from a belief that the Priest received his Appointment from the commonwealth, and that hereby he is Amenable to the state for his conduct, as it relates to his moral Character, besides his being, with other citizens, accountable to the laws of the state. We are persuaded that a little attention to this matter, will have a good effect, on the minds of the Indians, and have a tendency to secure, not only their obedience but their confidence & esteem.—

We would further communicate to your Excellency, that their are some people, in the eastern part of the county of Lincoln, who have been married by persons not authorized by law to marry — Their great remove from such officers, has led to this irregularity; in some instances the ceremony has been performed by the senior Military officer present, and in other instances, by the naval officer in the lower part of the county. Such marriages, if the parties have been sincere, may be, and doubtless are justifiable in the eye of him who regards the intention.—

Yet evils in some after day may be experienced, by such a departure from that system, which the laws of our country have wisely pointed out.—

If there exists but a possibility, that consequences injurious may be felt hereafter, would it not be well, in time, to guard against them.— Should there not be a return of all such marriages called for, and they established, the defect in form notwithstanding, by an act of the Legislature —

We have the honor of being with the most perfect esteem Your Excellencys most obedient servant

B Lincoln, Thos Rice, Rufus Putnam

His Excellency Governor Bowdoin

P. S. Among the complaints which were exhibited by the people, in some of the plantations, they mentioned, that the laws had not been forwarded to them, which neglect left them ignorant of the mode of assessing the late tax, and how it should be collected —

B Lincoln, Thos Rice, Rufus Putnam

The Sketch of Penobscot River from the head of the tide to its Source 1786 (Vol 39 Collection of Maps and Plans).

Letter of B. Lincoln to Governor.

Boston Sept 19, 1786.

Sir

In my several tours to the eastern part of this State I have discovered a disposition among the inhabitants in general to submit to the laws of their country and I am convinced that they oftener offend from want of information than from an untoward disposition. Near thirty years have passed since the last edition of the laws of this commonwealth; in this time a large number of towns have been incorporated and a great additional number of Justices of the peace have been commissioned all of whom I suppose wish to have a set of the laws — That towns should have them is an indispensible duty but they are not to be obtained and not only new towns in the remote part of the State but officers lately commissioned there must be destitute until a new impression. I know it has been given out that this would be done as soon as the revision of the laws was over — This business has already been a work of time and much more probably will be consumed before that

arduous and necessary business will be fully completed. A volume might now be pretty perfect — binding of it may be omitted untill it shall be more so finally the whole may be bound together

It has been a long practice, well known to your Excellency, for people to set themselves down on public property in the eastern part of this State — The commonwealth has wisely, I think, established a rule for quieting those who so settled before the first of Jan^{y} 1784 — No provision has been and probably none ever will be made for those who have taken up such lands since that date.— This, sir, I think, will be a source from which great discontent will flow hereafter Many will, and I suppose may justly say, that from the want of information they have been led into the mistake and that they expected to be quieted in their possessions as others had been — I beg leave therefore to suggest to your Excellency the propriety of issuing a proclamation and of having many copies of it spread through that part of the country giving a full representation of the matter that whoever trespasses hereafter may do it clearly in his own wrong — This measure cannot operate to the injury of people who want settlements for lots are now to be given away in many towns so that they may now have as much land and as good a title from individuals as they have heretofore received from the State I cannot help thinking but it is a duty incumbent on Government to attend to this matter and that it will be productive of valuable consequences, we cannot, in my opinion, pay too early an attention to these people I wish we may thereby fully obtain a knowledge of their circumstances and remove very just ground of complaint now existing and prevent the being of any hereafter.

I have the honor of being with sentiments of our esteem Your Excellency's most obedient servant

B Lincoln

His Excellency Governor Bowdoin.

Letter of Committee to Governor in re Indians.

Penobscot River, August 30th 1786
Sir

We enbrace the earliest opportunity to inform your Excellency that the report relative to the hostile intentions of the southern Indians appears to us to be altogether without foundation and that the tribe had been imposed upon.— Before we closed our conferrence with the Indians we represented to them the evils which existed in consequence of the report and cautioned them against giving countenance to, or propogating such in future, unless there was pretty good reason to suppose they were true.— We did not however forget to remind them that they ought to be attentive to the motions of those who were hostile to us and that they should notify us of every circumstance which had the appearance of a mischievous design

They assured us that they would be attentive, & requested our watchfull eye over movements which might indanger their safety.—

We arrived at the head of navigation on Penobscot river on the 25th Instant and Immediately forwarded an express to collect the Penobscot Tribe informing them that we had something to communicate interesting to them this brought together about sixty five of their tribe with four of their sachems, or heads, of these they have six but one was so far hunting, as was also a part of their tribe, that neither he nor they could be notified, the other was sick, these four appeared as representations of the whole, and from what we could learn from the Inhabitants they were really the principal as well as the Majority of the heads — As our commission led us we first requested to know the extent and nature of their claims.— To this they did not give a full answer but said they would now limit their claims to a small brook six miles above the head of

the tide this they considered as giving up the six miles for they had before considered the head of the tide as their bounds. From their silence on the subject we supposed that they had given up the idea of a claim to all the lands on this river as being planted on them by the God of nature, which they strongly urged two years since.— After reminding them that they Surrendered to Governor Pownall all their rights and interests in these lands, We mentioned to them that if they had their present possessions in Virtue of the resolve of the provincial Congress of June 1775 they could hold thereby only six miles on each side of the river which lands could not avail them if the Commonwealth should lay out & settle the remainder.— They appeared to be much hurt and disappointed when this was mentioned as they supposed before they had the whole width of land as far as the waters of this river extended East & West — This led them to complain that as they could not read they were imposed on and that writings were of no value to them.—

We endeavoured to remove this unfavourable idea by shewing them that this commonwealth had most sacredly attended to the said resolve And that they might place confidence in what should be done in consequence of our report, We endeavoured also through the whole of our proceedings to convince the Indians that the State had a sincere regard to their happiness & were at all times disposed to make their situation agreeable.

We think it a matter of real importance that the Blankets Ammunition &c should be forwarded before the sitting of the General Court, should it be defirred to that late period these articles cannot be delivered untill the next Spring, a season when they will not be so much needed, consequently the value of the present will in their minds be greatly diminished besides it will be difficult to make them believe that we really

intend a settlement, should such a delay take place although we have endeavoured to prepare them for it.

We hope the State will fully carry into effect our doings should they not the disgrace brought on us thereby will be an evil too small to be remembered with those which will arise from the state of uncertainty into which the Indians will be thrown and the loss of confidence in consequence thereof which may prevent any succesfull Negotiations hereafter. We have the pleasure of inclosing a sketch of the river from the head of the tide to its source this will give an idea of what the Indians have surrendered & what they are now to Improve

We have the honor of being with the highest esteem, your Excellency's obedient & most humble servant

B Lincoln Thoˢ Rice, Rufus Putnam

P. S. we wish your Excellency would give early instructions to the committee for yᵉ sale of Eastern lands, not to sell the said white Island & black Island which we have assigned to yᵉ Indians.

His Excellency Governor Bowdoin

Eliakim Ayers Petition.

To the Honorable the Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled

Humbly Shews Eliakim Ayers — that in the year 1784 he came away from Saint Johns within the Government of the King of Great Britain in Consequence of which the British Government has confiscated his Estate which he left there, that he Erected a Sawmill on the Saint Croix within this Commonwealth & within what is now called the Township number five with an expectation to purchase the place of the

state. that the expence of said mill amounts to Eleven hundred Dollars which has exhausted all the property he has in the world. that the persons with whom he expected to purchase the same Township has failed him by reason whereof he must loose all his Labour & money expended and be brought to beggery unless your Honors will sell him the place where the same Mill stands wherefore he humbly prays that your honors would Sell one hundred acres including the same Mill for such price as you shall Judge to be reasonable, and he will ever pray

Eliakim Ayers

October 6th 1786

Petition from Settlers in Township No 10 or Eddys, 16 Oct^{r} 1786.

Upper Plantation on the East side of Penobscot River,
Oct 16, 1786.

To the honorable, the Senate, & the House of Representatives in General Court convened.

The petion of Stephen Bussell, and others, setld on a parcel of Land, commonly known here, by the name Col. Edys Township.

Your Memorialists beg leave to inform your honors, that sundry of us have been upon these Lands more than twelve years, labouring (we hoped) for our ourselves & children, as well as for the common good of America; but we are informed the General Court, hath latly ordered, all unapropriated Lands in the County of Lincoln to be sold.

We trust your Honors, do not wish to deprive us of our labours, without making us some compensation.

We have suffered extremly, by the late war, It is not without great difficulty; that the first setlers, fix themselves in

an inhospitable wilderness. Their labors raise the price of Lands in the vicinity at least one half. We pray your Honors will take your condition into your wise consideration; and grant each of us one hundred Acres of Land where we have improved, and setled; and your Memorialists, as in duty bound:

N. B. the number of Years Each Man has been on these Lands, you will find against his name.

Stephen Bussell. 13 years. Thankful M^{c}Mahan 10 years, Alexander Grant 3 years, Patrick Monney 13 years

In the House of Representatives Nov^{r} 10, 1786.

Read & committed to the Committee on the subject of the unappropriated lands in the County of Lincoln to consider & report

Sent up for concurrence

Artemas Ward Speaker

In Senate November 17th 1786 —

Reand and concurred

Sam^{l} Phillips jun^{r} Presid^{t}

Petition of Inhabitants of Parsonsfield.

To the Hon^{ble} Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled Octob^{r} y^{e} 18th 1786 —

The Petition of the Inhabitants of the Town of Parsonsfield in the County of York, By their Committee

Humbly Shew,

That we your Petitioners Humbly Conceive, that your Honours in Proportioning the Publick Charges Designed an Equitable part to Each Town in the Commonwealth, But never yet having the Valuation of Parsonsfield (not being called for) have Charged your Petitioner much more than appears to be their Proportion with other Towns

That a Just State of the matter may Appear to your Honours an Inventory Shewing the Amount of the Valuation of s[d] Town is Anexed hereto which by Compaireing with other Towns y[r] Petit[rs] find the Diference of Ruther more than four to one against them. Your Petitioners further Conceive that the Difference in Situation we being Thirty Two miles from any Markit Makes a Material Odds in the Value of Estates, by the Time produce is Transported to markit by Teems & Exchanged for Cash the Expences Take up near one half Your Petit[rs] Humbly Shew that they are the Greatest part Very poor That our Stocks of Cattle by near Seven mounths winter and by Flyes in y[e] Summer are of Little income

That our Lands will not produce Flax Eaqul at Intervals or old Farms that the Destruction of Sheep by wolves has Hitherto hindred us from Raiseing much wool By Deep Snows in y[e] Winter they are hindred from makeing any Profitable use of their Teems and that the procureing of money for their Taxes is Extreemly Difficult

Being Desirous of Manifesting that Loyalty which is Due to Goverm[t] by Seasonably Paying and Strictly adhereing to the Calls of Goverm[t] which by the Debt now laying against us we are Unable to Do; Therefore your Petitioners Humbly pray your Honours would abate So much of Said Debt as will put us upon Eaq[l] Futing with other Towns and what more our Needy Circumstances appear in your Wisdom to require And they as in Duty Bound will Ever Pray —

Thomas Parsons, John Doe, Jon[a] Kinsman,
Committee

Inventory

86 ratable poles @ 25/— — £107.10.0, 14 Poles not ratable, 39 Horses — — 192.6.0, 71 Oxen — — 350.8.0 — 134 Cows — — 393–8–0, 127 young cattle — 243–11–0, 117 Swine — — 106.0.0 — 639 acres of Tillage & mowing

Land 766..16..0, 549 ditto Pausteuring Land — 247..0.0 — 55 Barns ——— 275..0.0, 1 Dwelling house 25..0.0, 2 Ditto £12.. ——— 24..0.0, 2 Ditto 8.. — 16..0.0, 1 Ditto — 7.. — 7–0–0 49 Huts or houses not ratable — 0 —, 171 Bushel of Corn — 31 25–13–0 4 Tuns of Hay ——— 3.12.0 Total 2675..14–0 at 6 p^{r} C^{t} £ £160–10–7 —

3950 acres —@ 3^{d} — £59..7.6, 6198 D^{o} 12^{d} 309..18.0 2100 D^{o} 2/— 210–0.0, 3096 D^{o} 3/6 — 541–14.0, 3500 D^{o} 5/— 875–2–0 3017 D^{o} y^{e} Trees fell but need no Improv'm^{t} 6/— 905–0.0 Total 21,861 acres — 2901..1..6 at 2 pr ct

58–1.4½ Tax Bill £315..12–6 Total Int £218–12–00 to be Cast at 0–19–74 } 208– 2–6

315–12–6

The annexed Inventory Taken in May 1786. By the Subscribers

John Doe — Thomas Parsons jun^{r} }
Assessors of Parsonsfield.

Re: Petition of Mark Lord.

CommonWealth of Massachusetts

In the House of Representatives October 6th 1786.

On the Petition of Mark Lord praying that he may have liberty to Appeal his Action against Moses Copps from the Court of Common Pleas held in the County of York to the Supreme Judicial Court held in said County for reasons set forth in his Petition —

Resolved that the said Mark Lord notify the said Moses Copps to appear and the second Wednesday of the next sitting of the General Court that he may shew Cause why the prayer of said Petition should not be granted by serving him with an attested Coppy of his Petition & this Order fourteen days

before the next sitting of the General Court that Execution be stayed in the mean time

Sent up for concurrence

Artemas Ward Speaker

In Senate Oct^{r} 21st 1786

Read and concurred

Sam^{l} Phillips jun^{r} Presid^{t}

Approved James Bowdoin

York ss Commonwealth of Massachusetts

At a Court of Common Pleas begun & held at York within & for the County of York on the second Tuesday of July being the eleventh day of said Month Anno Domini 1786 —

Mark Lord of Berwick in the county of York Trader Pla^{t} against Moses Copps of Shapleighs Town so called not within the bounds of any town Incorporate but within our county of York aforesaid Husbandman Def^{t} in a plea of Ejectment wherein he demands of the said Moses one Hundred & fifty Acres of Land with the appurtenances in Shapleigh so called afores^{d} being the whole of the Lot numbered Nineteen in the second Division in the tenth Range in said Shapleigh Town, which Premises with the appurtenances the Plat claims as his right & Inheritance in fee whereupon the Pla^{t} says he himself on the fifth day of July A. D. 1777 who seized of the same Premises with the appurtenances in his Demisne as of Fee taking the profits thereof to the value of Five pounds a Year, and continued to be so signed thereof until within seven years last past within which time the said Moses hath illegally and without Judgment of Law entered into & upon the said premises & disiezed the Pla^{t} thereof & still unjustly withholds the possession thereof from the Pla^{t} to the damage of the said Mark as he says the sum of Three hundred Pounds —

And the said Moses comes & defends the force & Injury &c for Plea says he is not Guilty & thereof puts himself on the Country — And the Pla^{t} likewise — The Cause after a

full hearing was committed to a Jury sworn according to Law to try the same who return their Verdict therein and say the Jury find the Def^{t} not Guilty — It is therefore considered by the Court that the said Moses Copps recover against the said Mark Lord cost of suit taxed at one pound nineteen shillings & two pence — This action was continued from last April Term by agreement of the parties & now to be final The Pla^{t} claimed an Appeal from this Judgment but not Granted —

Attest JN° Bartlet Clerk

Copies from Record Examined

p^{r} JN° Bartlet Clerk.

Governors Message resp^{g} the claim of Mons^{r} Gregoire & Lady to Lands.

Gentlemen of the Senate and Gentlemen of the House of Representatives —

A few days ago arrived here from France by the way of New York, Monsieurs Gregoire and his Lady. They claim in her right a Tract of Land in the County of Lincoln, fronting on the Sea two leagues, and extending from thence into the land two leagues; together with the Island of Mount Desert, and the neighbouring Islands: the said two leagues square having Mount Desert in its front —

They represent their claim to be founded on a Grant, made to her Grandfather Monsieur La Motte Cadillac in 1688, under the authority of Louis XIV, then King of France.

I received by Monsieur Gregoire a Letter from the Marquis La Fayette, dated at Paris in August last, and a Letter from Monsieur Otto Charge d'affaires to Congress from our illustrious Ally, the King of France, dated at New York the 23^{d} of October: in which Letters they recommend the claim of Madam Gregoire to the consideration of this Government; as the land claimed is within its jurisdiction —

A memorial in behalf of the claimants, was presented to the General Court by the Consul of France in June 1785: but nothing final was done thereon.—

As the Claimants are come hither from France, for the purpose of settling this claim with the Government, it is their earnest prayer, that the General Court would give an immediate attention to it: agreeably to their Petition herewith exhibited.—

James Bowdoin

Council Chamber Nov^{r} 7th 1786.

In Senate Nov^{r} 7, 1786.

Read and committed to Stephen Choate and Benj^{a} Goodhue Esq^{rs} with such as the Hon^{ble} House may join, to consider and report—

Sent down for concurrence

Sam^{l} Phillips jun^{r} Presid^{t}

In the House of Representatives Nov^{r} 7, 1786.

Read and concurred & M^{r} Winter, M^{r} Breck & M^{r} M^{c}Cobb are joined.

Artemas Ward Speaker—

Nov^{r} 14, 1786. Cotton Tufts Esq^{r} appointed in the room of Benj Goodhue Esq^{r}

15 Joseph Hosmer & Joseph B Varnum Esq^{r} were appointed in the room of M^{r} Choate & M^{r} Tufts

Feb^{y} 21st 1787 Stephen Metcalf Esq^{r} is appointed in the room of M^{r} Varnum.

Governors Message Nov^{r} 11, 1786.

Gentlemen of the Senate and Gentlemen of the House of Representatives

In consequence of the resolve of the General Court relative to the Penobscot Indians, General Lincoln was appointed, by

advice of the Council, to compleat the agreement, which he and the other Commissioners, connected with him in that business, had made with those Indians in August last —

Unfortunately the Indians were gone upon their Fall-Hunt: by which means he had an opportunity of speaking only with one of their chiefs, to whom he communicated the Government's confirmation of the agreement with them; and informed him of the quantity of Blankets and ammunition he was charged with, and which were to be delivered to them on their fulfilling their part of the agreement; and signing the Deed, by which they were to relinquish to this Commonwealth all claim to the lands stipulated in the agreement.—

In the report of his proceedings General Lincoln mentions, that he had placed those goods in the hands of M^r^ John Lee of Majabagwaduce, whose abilities, integrity, fortune and attention to business, he could, from his own knowledge of him, depend upon. He has taken M^r^ Lee's receipt for the Goods: which, as appears, by the receipt, he has engaged to deliver to those Indians, agreeably to General Lincoln's written directions to him —

The said report and receipt, with the several Papers accompanying them, are herewith, Gentlemen laid before you.

James Bowdoin

Council Chamber Nov^r^ 11^th^ 1786.

Re. Petition of Dan^l^ Pierce.

Commonwealth of Massachusetts —

House of Rep^s^ Oct 21^st^ 1786

On the petition of Dan^l^ Peirce setting forth that judgment was obtained against him by Samuel Peirson at the Court of Common pleas held at Falmouth now Portland for the County

of Cumberland on the last Tuesday in May last, on which judgment, Execution was issued & your petitioner obliged to pay thereon to Jn° Waite deputy Sherrif for the County of Essex Sixty five pounds nineteen shillings & six pence, which judgment & Ex on the said Peirce says is erroneous —

1. Resolved that the said Dan[l] Peirce notify the said Sam[l] Peirson to appear & shew cause (if any he has) on the 2[d] Wensday of the next sitting of the General Court why the prayer of the said Petition should not be granted, by leaving an attested Coppy of this Petition & order thereon with the said Peirson at least fifteen days before the said second Wensday [A] & in the mean time that the monies aforesaid shall remain secure in the hands of the said John Waite [B]

Sent up for concurrence

Artemas Ward Speaker.

In Senate Nov[r] 15, 1786.

Read & concurred with amendments at 1 & A

Sent down for concurrence

Sam[l] Phillips jun[r] Presid[t]

1. dele "Resolved" & insert Ordered

A dele from A to B

In the House of Representatives Nov[r] 15, 1786

Read & concurred

Artemas Ward Speaker

To the hon[ble] the Senate & the hon[ble] house of Representatives in General court assembled Humbly Sheweth,

Daniel Pierce of Salem, mariner, that one Samuel Pierson of Falmouth, merchant, sued him, on account, to April Court last in Essex, and arrested his body, upon w[ch] process he gave

bail — and the cause was continued to July term last in y^e^ same county; that sometime previous to y^e^ sitting of y^e^ s^d^ court in July, the said Pierson, sued your memorialist for the same demand, to Falmouth court in May last.— that there being a dispute between y^e^ said parties relative to y^e^ said demands, it was proposed that a reference to impartial persons should take place at Essex, & at July court there, y^e^ writ was called for but could not be found, tho your memorialist had been arrested as afors^d^ upon it, & the bail bond is now in Sheriff Farley's possession & he affirmed & still affirms that he returned his said writ; But the said writ not being to be found the cause was dismissed & a record made under the action that it was a misentry; that while your memorialist was then amused with the expectation of a settlement of the disputes between him & the said Pierson by a reference or trial by a Jury in Essex; the said Pierson was carrying on his said suit at Falmouth, & in May last recovered judgment against him by default while he was absent on a voyage, & altogether ignorant that any such suit was going on against him, that execution has issued upon that judgment & your memorialist has been compelled to pay the same & the costs amounting to £65 .. 19 .. 6 to one John Wait a deputy sheriff in Essex; when he doth not in law or justice, if he can be admitted to have a fair trial in order to show it owe the said Pierson one penny, but on the contrary the said Pierson oweth him a large ballance. Your memorialist therefore prays that your honours will take his case into your wise consideration and restore him to his law in y^e^ premises; and that the said Wait be directed to retain the same money in his hands untill a final trial of the disputes between your Memorialist & the said Pierson or grant him such other relief as to your honours shall seem just & right, and as in duty bound will ever pray &c

D. Peirce

Accompaning Documents to foregoing.

Commonwealth of Massachusetts

Cumberland ss. To the Sheriff from County of Essex, or his Deputy — Greeting — Whereas Samuel Pierson of Falmouth in said County of Cumberland, Merchant, by the consideration of our Justices of our Court of Common pleas holden at Falmouth for and within our County of Cumberland, aforesaid, on the last Tuesday of May last — recovered Judgment against Daniel Peirce of Salem in our said County Essex, Mariner, for the sum of sixty pounds lawful money Debt or Damage & two pounds eighteen shillings & two pence Costs of suit as to us appears of Record, whereof Execution remains to be done — We command you therefore that of the goods, chattels, or Lands of the said Daniel within your precinct you cause to be paid & satisfied unto the said Samuel at the Value thereof in money the aforesaid sums being sixty two pounds, eighteen shillings & two pence, in the whole, with two shillings more for this Writ, and sheriff also to satisfy yourself for your own fees; and for want of goods Chattels, or Lands, of the said Daniel to be by him shewn unto you or found within your precinct to the acceptance of the said Samuel to satisfy the sums aforesaid, We command you to take the Body of the said Daniel and him commit unto our Goal in Salem, Newburyport, or Ipswich in our County aforesaid & detain in your Custody within our said Goal, untill he pay the full sums above mentioned, with your fees, or that he be discharged by the said Samuel the Creditor or otherwise by Order of Law,— Hereof fail not & make return of this Writ, with your doings therein into the Clerks office of our said Court of Common Pleas, within three months from the date hereof — Witness Enoch Freeman Esq^{r} at Portland

the twenty eighth day of July — In y^e^ year of our Lord, one Thousand Seven hundred & eighty six

signed Sam Freeman Clerk.

Copy — Attest John Waitt Sheriff

£63 – 0 – 2

2 – 19 – 4 Total 65 – 19 – 6

Essex ss 27 Oct^r^ 1786 I Return this Exon^r^ 29

38 – 19 – 6

Fulley Sattisfyed Debt & Costs —

John Waitt D Sheriff

M^r^ Pierson of Falmouth sued Cap^t^ Pearse for April Court at Ipswich 1786 he gave bail — some proposals being made between the parties, it was agreed, that the action shou'd not proceed — however it was entered & no writ appearing, the Sheriff was call'd upon to return it — he declared he had serv'd & return'd it — the action stood continued to July term — before that Term the Pltff commenced another suit against Pearse, for the same cause | as it is paid | for Falmouth Court in May 1786 — but further proposals being made between Pearse & the Pltff's Att^y^ here | that is y^e^ Att^y^ in the Essex action it was agreed that he shou'd write to the Pltff at Falmouth for his assent to the proposed reference | & it was said that the Pltff doubtless wou'd assent to it — but at Essex July Court the first suite standing continued the Def^t^ call'd again for the writ, the Clerk declared to the Court that he had never seen it & that it had not returned to him — the Sheriff was call'd upon again & declared he had returned it to some person but cou'd not say to whom — the Def^t^ having no notice from Falmouth & relying upon a reference or discontinuance of that suit as proposed was defaulted & Judgment went against for £63=1=2 & costs & he has been compell'd to pay both to

Wait Sheriff here — when the Pltff owes more to the Voyage than the above sums —

The Def^{t} therefore wisheth to obtain a hearing of the cause at Falmouth Court and that the money may remain as security in the Sheriffs hands —

for W^{m} Pychon, Jn^{o} Pychon

Petition of Inhabitants of Bridgton.

Commonwealth of Massachusetts

In Senate Novem^{r} 17, 1786

On the Petition of the Inhabitants of the Plantation of Bridgeton praying to be exempted and excused from paying the State Taxes ordered to be assessed upon them Resolved that the prayer of said Petition be so far granted as that the said Plantation be & hereby is exempted & excused from paying all State & Continental Taxes ordered to be assessed upon them prior to the first day of January 1784 & the Treasurer is hereby directed to govern himself accordingly.

Sent down for concurrence

Sam^{l} Phillips j^{r} Presid^{t}

Commonwealth of the Massachusetts

In the House of Representatives March 3^{d} 1786 —

On the Petition of the Inhabitants of the Plantation called Bridgton in the County of Cumberland — praying that they may be abated their back taxes or otherwise have a Committee (at their Expence) to view the said Plantation and Report —

Resolved That Isaac Parsons Esq^{r} & M^{r} Caleb Emery with such as the Hon Senate may join be a Committee to Repair

to the said Plantation and view the same and make Report A. to the General Court at their next Sitting what is proper to be done thereon [B]

what measures are proper to be adopted relative to the prayer of the said petition.

Petition of Isaac Smith & others.

To the Senate and house of Representatives in General Court Assembled

The Petition of Isaac Smith and other Principle Inhabitants of the Plantation of Canaan humbly sheweth

That the said Smith owns a Grist Mill at the Mouth of Wesserunset which is the only mill at which Grinding can be had within seven miles, that the dam is so circumstanced that a fish way cannot be made and he has no way of avoiding the penalty of the Law but by setting out the whole water, which will bring the Inhabitants into great distress —

That the said stream runs from an uninhabited part of the country, and only four families live on it above the said Mill, who also live near the main River, and can as Easily as their Neighbours take fish out of the great River

That no fish were ever known to Run up the said Stream Except a few of the last run of small Salmon towards the last of June.

That the said dam has been very expensive both to said Smith and the Town inhabitants

Your Petitioners therefore Pray the honorable Court to pass a Resolve to enable the said Smith to keep up his pond and free him from the Penalty of the law and your Petitioners in Duty bound Shall ever Pray

Nath[l] Whitaker, Bryce M[c]Lallan,

Peter Heywood,
Peter Heywood Jun^{r},
John White,
Sol^{n} Clark,
John Fowler,
Isaac Smith,
Phinehas Steward,
Eli Weston,
Joseph Weston,
Stephen Weston

Petition of Francis Whitmore.

Commonwealth of Massachusetts

To the Hon^{le} the House of Representatives sitting at Boston 1787

The Petition of Francis Whitmore of Bowdoinham Gentleman Humbly Sheweth —

That in the year Seventeen hundred and Sixty three the said Francis contracted with Charles Ward Apthorp to procure for him a Number of Pine Masts called King's Masts the said Francis took up a parcell of Goods to enable him to carry on the Business and as security therefor mortgaged his Estate at Medford & procured the several Masts mentioned in the annexed Schedule in the Year seventeen hundred & sixty three delivered twenty nine of the said Masts and put them on Board a Ship at Casco-Bay Commanded by Cap^{t} Tate & in seventeen hundred and Sixty four delivered into the King's Dock at said Casco-Bay thirty Seven more four whereof were put on Board said Ship & the residue M^{r} W^{m} Webb took the charge of, said Francis settled with M^{r} Mark Wentworth who had the care of the Business in the year 1763 — for twenty nine of the same Masts & received an Order upon said Apthorp for the Pay went to Boston applied to Apthorp then in said Boston presented the Account & order for the last mentioned Masts he looked over them and said it was well &

desired he would wait a few Days come again & he would pay him a few Days after that he went off to New York was one of the King's Councellors there and therefore your Petitioner could do Nothing if he had attempted to arrest him in this Situation the Matter has been could get no Settlement nor pay to discharge said Mortgage. The Commonwealth have taken the said Mortgaged Estate as the Estate of said Apthorp and sold it — before your Petitioner had knowledge of it he living two hundred Miles distant from where the Land sold lieth After we heard of it — made application to the Committee who Sold it whose Names were Prescott Hosmer &c and told them he owed no money upon the same Land but there was a large Sum due to him the said Francis they told him they knew Nothing of the Matter they had orders to sell it

Your Petitioner applied to the Judge of Probate who appointed a Committee to examine the Account who found a Ballance due to said Francis £1764 — 9 — 3 for which the said Judge gave a Certificate & thereupon he applied to Samuel Barrett Esq^{r} for payment who told him he had heard Nothing of the Matter & the Day before had paid all the Money that belonged to Apthorps Estate & your Petitioner has never received one Farthing for the aforesaid Masts it has been the means of destroying him & his Estate and made him unable to pay his just Debts for which he has been harrassed & sued Your Petitioner does not wish to have to pay for the masts put on Board the Ship but only for those thirty three delivered into the Kings Dock which the Commonwealth took possession of and Sold — Your Petitioner humbly prays your Honors to take the Premises into your Consideration and order thereon as to your Honors may seem just & wise.— And as in Duty Bound your Petitioner will ever pray

Francis Whitmore

Schedule of Masts which the Petitioner has reference to.—

Masts	Inches				
1 Mast	27	£280	1	27	190
1 D°	28	295	1	27	190
1 D°	25	195	1	30	250
1 D°	24	175	1	27	190
	Bowsprits			Yards	
1	27	190	1	23	£300
1	30	250	1	21	250
1	27	190	1	21	250
1	28	215	1	21	250
1	27	190	1	21	250
1	29	230	1	21	250
1	28	215	1	21	250
1	29	230	1	21	250
1	27	190	1	21	250
1	28	215	1	21	250
1	30	250	1	21	250
1	28	215	1	21	250

Petition of Sam[l] Peirson & John Frothingham.

Commonwealth of Massachusetts

To the Hon[ble] Senate & the Hon[ble] the House of Representatives in Gen[l] Court assembled —

Humbly Sheweth —

The Subscribers, a Committee of a number of persons, in the Town of Portland in the County of Cumberland, chiefly belonging to the Alarm list in Said Town, being desirous to contribute towards the support & defence of the State by the best means in their power & to encourage the art Military have agreed to form themselves into an Independent — Artillery Company — they therefore humbly pray your Honours,

that they & such others, as may be regularly admitted into said Company may be constituted & make an Independent Company by the name of the Cumberland, Independent Company of Artillery, with Officers of such Rank as your Honours may see fit to direct, to be under the immediate Command of the Major General of the said County for the time being, & to be furnished with two field pieces & a Gun House at the Expence of the State — And they as in Duty bound will ever pray

Sam[l] Peirson, John Frothingham } Committee.

Petition of John Baker et al.

To the Hon[ble] Senate & the Hon[ble] the House of Representatives of the State of Massachusetts in Gen[l] Court assembled

Your Petitioners humbly shew

That a number of Persons in the Town of Portland in the County of Cumberland, chiefly belonging to the Alarm list in said Town, desirous to contribute towards the defence of the State by the best means in their power, have agreed to form themselves into an Independent Company, to be Uniform in their Dress &c

They therefore humbly pray your Honors, that they & such others as may be regularly admitted into said Company, may be constituted & made an Independent Company, by the name of The Cumberland Independant Company of Cadetts impowering them to choose their own officers, to be under the immediate command of the Major General of said County for the time being, & that your Honors woud give a Rank to their Officers — & they as in Duty bound will ever pray —

John Baker, Sam Peirson, Stephen Codman } Com[ee]

We the subscribers whose names are under written agree to form ourselves into an Independant Company in this Town and agree to meet together to adopt such Rules & Regulations as the majority of said Shall suppose necessary

Nath[l] F. Fosdicke,
Dan[l] Mussey,
John Baker,
Rich[d] Codman Jun[r],
Stephen Harding,
Eben Storer,
Thomas Motley,
Step[n] M[c]Lellan,
Moses Noyes,
Robert Boyd,
James Deering,
James Dunn,
Peter Warren,
Woodbury Storer,
Eliph[t] Dean,
John Emmons,
Sam Peirson,
Enoch Preble,
Eben[r] Mayo,
Sam[l] Butts,
William Reynolds,
Tho[s] Webster,
Sam[l] Poor,
Eliphalet Morss Jun[r]
Thomas Reed,
Hosea Ilsley,
Zech[a] Nowell,
Joshua Rogers,
Henry Preble,
Samuel Bryant,

Eben[r] Preble,
Thomas Motley,
Dan[l] Mussey,
Woodbury Storer,
John Baker,
Eben Storer,
James Dunn,
Thomas Reed,
Moses Noyes,
James Deering,
Robert Boyd,
Hosea Ilsley,
Eliph[t] Dean,
Tho[s] Beck,
Peter Warren,
Step[n] M[c]Lellan,
Jacob Noyes,
Thomas Webster,
Nath[l] F. Fosdick,
Rich[d] Codman jun[r]
Stephen Harding,
Thomas Motley,
John Emmons,
Sam Peirson,
Enoch Preble,
Eben[r] Mayo,
Sam[l] Butts,
Wm Reynolds,
Tho[s] Webster,
Sam Poor,

Henry Titcomb,
John Phillips,
Apollos Cushing,
William Moody,
Thoˢ Beck,
John Waite,
Peter Warren,
Stephen Harding,
Thomas Reed,
John Baker,
Danˡ Mussey,
Moses Noyes;
John Emmons,
Samˡ Peirson,
Joshua Rogers,
Woodbury Storer,
Ebenʳ Mayo,
E. Dean,
Thoˢ Beck,
William Reynolds,
George Peirson,
William Moody,
John Phillips,
E. Davis,
Tob Frost,
Zechʰ Nowell,
Elipht Morss Junr
Caleb Aspinwall
George Peirson,
Ebenr Davis,
John Hobbs,
Hosea Ilsley,
Zechr Nowel,
Joshua Rogers,
Henry Preble,
Saml Bryant,
Henry Titcomb,
John Philips,
Apollos Cushing,
William Moody,
Ebenr Preble,
Abner Bagley,
David Bradish,
Jn° Hubbard,
John Wait,
Leml Moody,
Joseph Weeks,
Joseph Foss,
Jos McLellan Junr,
Saml Motley,
Elexr Motley,
Ralph Cross.

Petition of Jn° Baker & Others of Portland.

Commonwealth of Massachusetts

In the House of Representatives March 6, 1787.

On the petition of John Baker & others of Portland in the County of Cumberland

Resolved, That the Governour be, and he hereby is authorized and empowered, to commissionate the officers of the Cumberland Independent Company of Cadetts in Portland with the following Rank Viz[t] The Captain with the Rank of Lieutenant Colonell, and the Lieutenant and Ensign, each with the Rank of Major.—

Resolved, That the said company of Cadetts be, and hereby are entitled to an Adjutant, and that the Govenour be, and he hereby is authorized and empowered to commissionate the said Adjutant with the Rank of Captain

List of Salaries.

Governor	£1100 p[r] annum
Secretary	£ 250 D°
Treasurer	£ 350 D°
Chief Justice Supreme Judicial Court	£ 320 D°
4 other Justices each	£ 300 D°
Commissary General	£ 150 D°
Attorney General	£ 300 D°
Committee for stating & Methodizing public Acco[ts] consisting of 2 persons each	12/ p[r] day
Clerk to D°	6/ p[r] day
First Clerk in Secretary's office	9/ p[r] day
3 other Clerks D°	7/ p[r] day
Consolidating Clerk Treas[ys] office	10/ p[r] day
4 other Clerks D°	6/ p[r] day
Messenger of the General Court	£80 p[r] Anm
D° Governor & Council Members	9/ p[r] day
Council 8/ Senate 7/6 & House 7/ p[r] Day	
Delegates at Congress	26/ p[r] Day
Clerks of the Senate and House from £135 to £140 per annum each.	

Superscribed Hon[ble] M[r] Goodwin

Petition of Benjamin Libby.

Scarborough Jan^{y} 9 1787

To the Hon^{bl} the Legislature of the Common Wealth of Massachusetts.

the petion of Benjimen Libby Late Soldier in Capt Amos Lincolns Comp^{y} humbly Sheweth that Some months after he Rec^{d} his Discharge he Applyed to the treasurer for a Considerable part of his pay but found it was Drawn by one Daniel Jenings who sign^{d} his name Godfrey and your petitioner at the Same time Apprehended Said Jenings and others who were Concernd in the fraud and Delivered them up to the Athority of the Commonwealth your petioner Since that time have Resided in a Remote part of the County of Lincoln and have not had opportunity to Apply Before now therefore your petitioner humbly prays your honours for Consideration and Allowence of his pay and your petioner as in Duty bound Shall Ever pray —

Benjamin Libby

This may Certafy the above Petioner Inlisted for the Term of three years in Said Company which he Sets forth in his petition and Serv^{d} his term out, which his discharge Sheweth

Amos Andrews, W^{m} Hasty j^{r} } Select Men of Scarborough

Caskobay y^{e} 5th January 1784

To y^{e} Honr^{l} M^{r} Ivers Treasurer of y^{e} Commonwealth of y^{e} Massachusetts S^{r} peas to pay to M^{r} Benj^{a} Barker the Whole of My Wagers that may be found Due on Cap^{t} Linkhorns Last Role —

and you will oblige

Your Humble Sarv^{t}

Benj^{n} his mark X Lebey

Attest John Brown

True Copy

Peter Barker

Sur Pleas To
Deliver the within oder To Daniel Godfrey
Witness my hand
Benj[n] Barker
endors'd by Dan[l] his mark X Godfrey Attest by Tho[s] Lovell

A petition of Henry Dearborn And others.

To the Honorable the Senate & House of Representatives in General Court Assembled —

Humbly shows your Petitioners that in the year 1782 five of your Petitioners & one other man traveled from Hallowell on Kennebeck River in the County of Lincoln over that large tract of uninhabited country laying between said Kennebeck River & Connecticut River for the purpose of exploreing the Country & of looking out & laying a Road so as to open a communication from one, to the other of those two Rivers, that your Petitioners did, after exploring the aforesaid Country, look ovr & Survey a Road from Connecticut River to Bumbarhook on Kennebeck River, and found the distance to be about eighty five miles, that opening the communication between those two Rivers would be of Publick utility. and having found that there is a very large tract of unapropriated land between the aforesaid Rivers within this Common Wealth your Petitioners humbly pray for a grant of two Townships of land six miles square laying on what is call'd Webs River (which is near the senter between the two aforesaid Rivers) upon such conditions & under such Restrictions, as, (taking all circumstances into consideration) shall to your Honours seem best, and as in duty bound shall pray —

Hallowell January 16[th] 1787 —

Henry Dearborn, John Beeman,
Reuben Colburn, Samuel Jennings,

Joseph North,
James Craigg,
William Brooks,
Elijah Davis,
Amos Pollard,
Samuell Pollard,
David Pollard,
Ebenezer Byram,
Nat. B. Dingley,
Carpenter Winslow,
Jonathan Winslow,
Samuel Dutton,
Jedediah Jewett,
Benjamin Shaw,
Henry Smith,
James Fulton,
Dum^{r} Sewall

In the House of Representatives Feb^{ry} 26, 1787 —

Read & committed to the Committee appointed by Resolve of the 28 Oct^{o} 1783 on the subject of the unappropriated lands in the County of Lincoln

Sent up for concurrence

Artemas Ward Speaker

James Gillmore & ^{otrs} Public Creditors.

Commonwealth of Massachusetts

To the Honorable the Senate & House of Representtives in General Court Assembled Jan^{y} 31, 1787

The petition of the Subscribers Humbly Sheweth

That Early in the Late war with Britain, when the Exigencies of Government required the Expenditure of Large Sums of Money, your peti^{rs} Exerted themselves, to assist Government with the Loan of their Money, taking Notes payable some in the year 1781 some in 1782 & some in 1783.— In the year 1781 the Necessities of Government were so pressing; That a Law was made to Enable the Treasurer to borrow large sums of Money, in which were included the notes payable at the above discribed Dates, & also the Notes called

Depreciation Notes promising a County, Exemption from Taxes &c But a further pay Day must be allowed, Relying upon the Faith of Government, your Petitioners complied, & their Notes were Consolidated by the scale of depreciation & new Notes were received, and by the same Law an Establishment was made for the payment of the Interest annually & the Redemption of the principal in part, at Different periods, since the Interest first became due your petiʳˢ have received the same untill within about two years past since which time there has been a failure of payment,— if we apply to the Treasurer for payment which has repeatedly been the Case, The answer is he has no Money, if we take an order upon the officer of Excise & apply for payment the answer is the same he has no money, and often adds that he takes none, if we should take an order upon some former Constable who is in arrear for taxes previous to the year 1784 which the Treasurer wou'd readily Give we beg Leave to say that the Towns to which we belong have long since paid or very nearly paid all those Taxes, and we know not what Constable to apply to, unless to one who belongs to those Counties who of Late are Governed by Men Instead of Laws, our Success in the Latter Case, is too obvious to need mentioning, our necessities for the Interest of our Money is pressing, but the anxiety of our Minds for the Faith, Credit & Even Existance of the Government & its Constitution, are still more painfull, we profess our selves to be its faithfull Friends & to obey its Constitutional Commands with our best services, and we now most humbly Implore your Honours attention to our necessities & grant such Relief in the premises as to your Honors Shall seem meet —

And as in Duty Bound Shall ever pray

James Gillmor,
David Gillmore,
John Pierce,
Samˡ Fisher,
Lewis Whiting,
Nathan Daniels Jr in Behalf

Isaac Heaton,
David Lawrence,
Elizabeth Thurston,
Asa Pond
Elijah Wave,
John Whiting,
Simeon Fisher,
Joseph Fisher,
Hezekiah Fisher,
Betty Pond,
Ebenezer Lawrence,
Eben^{r} Metcalf,
Hannah Metcalf,
Joseph Harding,
James Woodward,
Joseph Hawes,
David Man,
of Three Orphan Children,
Robert Blake,
Elisha Man,
Jabez Fisher,
James Metcalf,
Asa Fairbanks,
Asa Fairbanks Jun^{r}
Mary Whiting,
Daniel Farrington,
Jesse Ware,
Noah Heaton,
Jabez Fisher Jun^{r}
Phinehas Ware,
Joseph Whiting,
Pelatiah Fisher,
Sam^{l} Fisher

An Act defining the times and places Where Certain Courts Shall Sit, &c.

Commonwealth of Massachusetts
In the Year of Our Lord one thousand seven hundred and eighty six

An Act for determining at what times and places the several Courts of General Sessions of the peace, and Courts of Common pleas shall be held — within and for the several Counties within this Commonwealth, and for repealing all Laws heretofore made for that purpose

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the

same, that all the Laws heretofore enacted, and now in force, determining the times & places for holding the several Courts of General Sessions of the peace, & Courts of Common pleas, within and for the several Counties in this Commonwealth be, and are hereby repealed.—

And be it further enacted by the authority aforesaid, that the times and places for holding the Courts of General Sessions of the peace and Courts of Common pleas within and for each County in this Commonwealth Shall from and after the first day of January next be as follows — Viz^{t} Within and for the County of Suffolk, at Boston, on the first Tuesday in January,— the third Tuesday in April, and the first Tuesday in October:— Within and for the County of Essex, at Newburyport the first Tuesday in April; at Ipswich the first Tuesday in September and at Salem the first Tuesday in December.— Within and for the County of Middlesex at Groton on the second Tuesday of March,— at Concord on the second Tuesday of September; and at Cambridge on the last Tuesday November.— Within and for the County of Hampshire at on the second Tuesday of at on the last Tuesday of and at on the second Tuesday of Within and for the County of Plymouth; —at Plymouth on the second Tuesday of April, and the last Tuesday of October.— Within and for the County of Barnstable; at Barnstable, on the first Tuesday of April, and the first Tuesday of November.— Within and for the County of Bristol, at Taunton, on the second Tuesday of March, and the second Tuesday of September.— Within and for the County of York, at York on the second Tuesday of April; and at Biddeford on the second Tuesday of October.— Within and for the County of Dukes County, at Edgerton on the first Tuesday of March, and at Tisbury on the last Tuesday of October. Within and for the County of Nantucket, at

Sherburn, on the last Tuesday of March and the first Tuesday of October.— Within and for the County of Worcester, at Worcester on the last Tuesday in March; on the first Tuesday in September, and the first Tuesday in December.— Within and for the County of Cumberland, at Portland on the last Tuesday in May, and the last Tuesday in October,— Within and for the County of Lincoln at Hollowell on the second Tuesday in January; at Pownalborough on the first Tuesday in June; and at Waldoborough on the second, Tuesday of September.— Within and for the County of Berkshire, at on the Tuesday of

And whereas a General attendance of the Justices of the peace on the Courts of General Sessions of the peace, within and for the several Counties in this Commonwealth at every term for holding the said Courts, is expensive & unnecessary—

Be it therefore further enacted by the Authority aforesaid, that from and after the first day of January next, no justice of the peace (other than the Justices of the Courts of Common pleas and special Justices of that Court and Justices of the quorum shall receive any pay for travel or attendance on any Court of General Sessions of the peace within this Commonwealth, at any other term, than the term which now is or shall hereafter be disignated by Law, for granting Licenses to Innholders and retailers.

In Senate Nov. 15th 1786

Read & sent down

Sam[l] Phillips jun[r] Presid[t]

In the House of Representatives Nov[r] 17, 1786

This Bill having had three several Readings passed to be Engrossed as taken into a new draught —

Sent up for concurrence

Artemas Ward Speaker

Commonwealth of Massachusetts

In Senate February 1787

The Committee of both houses to whom was Committed the Act passed the last Session of the Sessions of the General Court for rendering processes in law less expensive — and also the Bill for determining at what times and places the Several Courts of General Sessions of the peace and Courts of Common pleas shall be held within the several Counties within this Commonwealth — have attended the service and ask leave to report the following Bills which are Submited

Elisha May p^r order

Commonwealth of Massachusetts }

In the House of Representatives Feb^y 7, 1787.

Ordered that M^r Frothingham, M^r Ward of Salem, and M^r Gorham with such as the Hon. Senate may join be a Committee to revise the law passed the last Session for rendering processes in law less expensive; and that the Bill for determining at what times and places the several Courts of General Sessions of the peace, and Courts of Common Pleas shall be held within the several Counties within this Commonwealth &^c be committed to the said Committee

Sent up for concurrence

Artemas Ward Speaker

In Senate Feb^y 7, 1787.

Read & concurred & Elisha May and Abel Wilder Esq^rs are joined —

Sam^l Phillips jun^r Presid^t

Bill for Regulating the Commencement of the Year.

Common Wealth of Massachusetts

In the year of our Lord on Thousand Seven hundred and Eighty four

An act for Regulating the Commencement of the year and for Correcting the Calendar

Whereas the Indian Calendar, by reason of the encreasing errors of it, has been discontinued: and it being necessary that the new Supputation of the Civil year, which has been Substituted instead thereof, should be Established by Law.

Be it enacted by the senate and House of Representatives in General Court assembled, and by the authority of the same, that the new Supputation of the civil year, by which the first day of January in Every year, is made the first day of the year,— shall be, and hereby is ordered to be, received, adopted, Continued, and used in this Common Wealth, in all future time: and the Several months of the year and the several days of Each month, shall be Called,— Reckoned, and numbered, by the names, and according to the order, and succession of months and days, now used in the present Calendar.

And for the Continuing and preserving the Calendar, or method of reconing and Computing the days of the year, so that the Vernal or Spring Equinox may in future happen on or about the Twenty first day of March —

Be it further Enacted by the authority aforesaid, that the Several years of our Lord one Thousand Eight hundred, one Thousand Nine hundred, Two Thousand one hundred, Two Thousand Two hundred, Two Thousand three hundred, or any other hundredth year of our Lord which Shall happen in time to Come, Except only Every fourth hundredth year of our Lord, whereof the Year of our Lord Two Thousand shall be the first, Shall be Esteemed or taken to be Common years, Consisting of Three hundred and Sixty five days and

no more; and that the years of our Lord Two Thousand, Two Thousand four hundred, Two Thousand Eight hundred, and Every other fourth hundred year of our Lord from the said year of our Lord Two Thousand Inclusive, and also all the other years of our Lord which by the present Supputation are Esteemed to be Bissextile or leap years, shall for the future, and in all times to come, be Esteemed and Taken to be Bissextile or leap years, Consisting of Three hundred and Sixty Six days, in the same sort and manner as is now used with Respect to Every fourth year, of which the year of our Lord one Thousand Seven hundred & seventy Six, the Glorious era of the Independence of the United States of America may be reconed as the first.

In the House of Representatives June 22^{d} 1784

This Bill having had three several Readings passed to be Engrossed

Sent up for concurrence

Sam A. Otis Spk^{r}

In Senate Feb^{y} 18, 1787

This Bill having had two several readings, passed to be Engrossed

sent down for concurrence

Sam^{l} Phillips jun^{r} Presid^{t}

Petition of Inhabitants on the Easterly side of Androscoggin River.

To the Honourable Senate and House of Representatives of the Common Wealth of the Massachusetts In General Court Assembled

The petition of the Inhabitants and Settlers of a plantation on the Easterly side of Ammarascogging River and More

than five Miles above the great falls on said River and Laying Between the plymouth patent grant and the above said Ammariscoging River Humbly Sheweth

That Whereas Your petitioners Have gone on to the above Discribed Land and Made Some Improvements and Encountered the Difficulties that naturaly arise In the first Cultivation of a New Plantation and therefore renders it of use to the Common Wealth therefore your Humble petitioners would pray that in your wisdom you would see Cause to make provision for the Settlers in the grant of Said Land to any proprietor or proprietors and that the said petitioners May Have an opertunity to purchase their Lots on such terms as the general Court In their Wisdom Shall be proper or as the other Lands Have Ben sold for the adjacent plantations In the County of Cumberland and Lincoln and Not to Be under any obligations to any proprietor Who May Hereafter Have a grant of the above said plantation and Whereas your petitioners Having Had Information that Coln[l] Little Claims the above Said Land & that the Matter May be Brougt to an Issue as soon as Convenantly May Bee that your Humble petitioners May govern themselves accordingly; is our further prayer, as Wee are Ever Bound In Duty to pray.—

October 30[th] 1786—

Jairus Phillips,
Isaac Phillips,
John Whitting,
Joseph Crocker,
Abel Crocker,
Jacob Astn,
Abnar Brown,
Benja Rackley,
Eli Herrick,
Samuel Herrick,
John Jennings,
Jivah Fish,
Ichabod Phillips,
Prince Dunsick,
Edward Jones,
Be[ ]ah Samson Jun[r]
Zoar Samson,
Jame Samson,
Daniel Lane,
Daniel Lane Jun,

John Larrabee,	Giddins Lane,
Moses Brown,	Adams Royall,
Benjamin Brown,	Thomas Francis,
Eleazer Allen Pinkham,	Marshfield True
John Mower,	Paul Solomon Millet,
Stephen Twiss,	Morgan Browster,
Stephen Larrabee,	[ ] Drake,
Benjamin Merrille,	Joseph Samson,
Abner Merrill,	Benjamin Alden,
Elisha Pinkham,	Samuel Gillant,
Jacob Stevens,	Henry Gilbert,
Lemuel Comins,	Daniel Child,
John Butler,	John pumpilly
John Daggett,	Abithar Briggs
Benjamin Cole,	Edward Adams,
Thomas Stevens	Zeba Smith,
Jarimiah Whitney,	Libeas Bailey,
Asariah Barker,	Lemuel Dwelly
Jorge Bearry,	Barnabas Perry,
Caleb Dodge,	Barnard pumpilly

Feb^{y} y^{e} 28th 1787 the Committee of Both Houses to whose Consideration the within petition was reffered, having Examined the same, ask Leave to report that the Further Consideration thereof be reffered to the next General Court, which is Submitted

Sam^{l} Baker p^{r} Order

Mem^{o} of John Sullivan for app^{t} of Comm^{rs} to examine A/C^{s} &c of Sam^{l} Lord 3^{d} deceased.

Commonwealth of Massachusetts

In the house of Representatives February 13th 1787.

On the Memorial of the hon^{ble} John Sullivan Esq^{r} of Durham in the State of New hampshire, praying that Com-

missioners may be appointed to examine certain accounts against the Estate of Samuel Lord, the third, of Berwick in the County of York deceased, Intestate, or to empower the supreme judicial Court to appoint such Commissioners or to give such other Relief, for reasons sett forth in said Petition, as the general Court may deem just and equitable.

Ordered, That the said John Sullivan serve the Heirs of the said Samuel Lord, deceased, with a true Copy of the said Petition; and of the Papers accompanying it, and also, of this order thereon, at least fourteen days previous to the next setting of the general Court; and that the said Heirs be notified to appear on the second Wednesday of the next Session of the general Court, to shew cause why the Prayer of the said Petition should not be granted.—

Sent up for concurrence

Artemas Ward Speaker.

In Senate Feb^{y} 15th 1787 —

Read and concurred

Sam^{l} Phillips jun^{r} Presid^{t}

To the Hon^{ble} Senate & house of Representatives now sitting at Boston within & for the Commonwealth of Massachusetts in February 1787 —

The Memorial of John Sullivan of Durham in the County of Strafford & State of New Hampshire Esq^{r} Humbly sheweth

That your Memorialist in Oct^{r} 1773 at the request of Lydia Lord, relict of Sam^{l} Lord 3^{d} late of Berwick in the County of York Trader deceased intestate, joined with her in the administration upon s^{d} intestates estate — That the said Sam^{l} at the time of his death was possessed of only a small real & personal estate exclusive of some notes of hand which were a little before the death of the said Samuel transfered to him

in right of the said Lydia as her proportion of the personal estate of her father Thomas Wallingford Esq[r] deceased by indorsement of the Administration of her said fathers estate — That the said Sam[l] left six children all minors & most of them in a state of Childhood at the time of his decease — That your memorialist immediately after administration was granted caused an inventory to be made of all the real & personal estate of the said Samuel, & used every possible exertion to complete the settlement of his accounts which were very numerous — That before a settlement of s[d] estate could possibly be completed — the contest between Great Britain & America took place, & warm recommendations were sent from the friends of American freedom to every quarter, urging the necesity of avoiding suits at Law until a settlement of the controversy should take place; in consequence of which almost a total stop was soon after put to the recovery of debts — That in the year 1774 your memorialist was called to Congress as a Member returned home only for a short time, & served again in 1775, until he was called upon to join the American army, where he remained till Decem[r] 1779 — That the said Lydia during his absence married John Costelloe who with her undertook the support & education of the children & laid out great sums of money therefor without taking out letters of guardianship or even conceiving it necessary — And your memorialist being constantly engaged in the service of his Country had no opportunity of advising them what to do or of knowing what they had done —

The said John & Lydia also made some efforts towards settling the estate but certain Acts which made paper money a tender in this & the neighbouring States for a number of years when paper bills were in a very depreciated state induced them to forbear making demands & bringing actions & subjected them to great loss upon such sums as they were compelled to receive from persons who by virtue of those Acts

tendered them the paper bills when they were not in fact worth a quarter part of the nominal sum in silver money, that since the conclusion of the war your memorialist has made repeated efforts to settle with the now surviving heirs of the said Samuel Lord most of whom have arrived to twentyone years of age, but they refuse to allow any thing for the maintenance & education of the minors to make any consideration for the loss on the monies received or to submit the same to the judgment of judicious & disinterested persons — Your memorrialist thus circumstanced was compelled to exhibit an account to the Judge of probate for the County of York, charging for the support of the minors & for their education, in the Administration account against the estate, but the Judge of probate refused allowing anything, on account of letters of guardianship not having been taken out & because he supposed each minor ought to be answerable for his own education & maintenance out of his own particular share, & decreed accordingly, from which Judgment an appeal was taken to the Sup^{r} Court to be holden at York in June next, when a final Judgment is to be given thereon — And should the Superior Court determine that no allowance can be made but to guardians for maintainance & education, according to the rigid rules of Law however just & equitable the claims may appear, Your memorialist will be compelled after having Judgment rendered against him to involve himself in a number of expensive Law suits to obtain satisfaction from the respective heirs: And even after Judgment it is far from being certain that satisfaction could be obtained Your memorialists is convinced that your honors would not willingly suffer him to be injured & perplexed when he has so equitable a claim against the heirs & which he was prevented from rendering strictly legal by attending to that service which his Country demanded from him —

Your memorialist would not trouble your honors with his request if a Court of Chancery was established in this Commonwealth, or if any other Court was cloathed with power of a Court of Chancery, as then a number of expensive & tedious lawsuits might be prevented & the whole settled by one just & equitable decision —

Your memorialist therefore humbly prays that an Act or resolve may be passed empowering three or more Commissioners to examine the whole affair, to make such allowance for maintenance, education & loss by depreciation as shall appear just & equitable, & give to the respective heirs their full proportion of the estate of the said Samuel, or that your honors will empower the Superior Court to appoint such Commissioners with ample powers, or grant your memorialist such other relief, as your wisdom shall direct & your memorialist as in duty bound will pray

John Sullivan

February 7th 1787 —

Commonwealth of Massachusetts

In the House of Representatives 13th February 1787 —

On the memorial of the Honorable John Sullivan Esqr of Durham in the State of New Hampshire praying that Commissioners may be appointed to examine certain accounts against the estate of Samuel Lord the third of Berwick in the County of York deceased intestate or to empower the Supreme Judicial Court to appoint such Commissioners or to give such other relief for reasons set forth in said petition as the general Court may deem just & equitable —

Ordered that the said John Sullivan serve the heirs of the said Samuel Lord deceased with a true copy of said petition & of the papers accompanying it & also of this order thereon at least fourteen days previous to the next sitting of the general Court; and that the said heirs be notified to appear on

the second Wednesday of the next session of the General Court to shew cause why the prayer of the said petition should not be granted —

Sent up for concurrence

Artemas Ward Spk^r

In Senate 15^th February 1787

Read & Concurred

Samuel Phillips jun^r Presid^t

A True Copy Attest

Samuel Cooper Clk to the Senate

Administration Account of the estate of Samuel Lord the third deceased, in the hands of John Sullivan & Lydia Costelloe (Wife of M^r John Costelloe) Administrators of s^d Estate —

The Administrators charge themselves with the following articles, Viz —

To all the personal Estate of the said intestate	£544	6	8
To two thirds of the income of the real estate from the 22^d of July 1773 @ 6£ p^r annum	51		
To ballance rec'd from Noah Ricker		1– 3–	4
To D^o from Benj^n Gubtail		1–15–	2
To D^o from Joseph Pray			1–11
To D^o from W^m Hooper		5– 4–	4
To D^o from Robert Archabold		–19–	1
To D^o from Moses Austin		14–	8
	605	5–	2
To D^o from Joseph Hamilton		1–19–11½	
To D^o from Joseph Marrow		7–18	
To 7000 of shingles rec^d from J Marrow		3–10	
To ballance recd from Benj^n Abbott		12– 3	
To D^o from Samuel Jones		18– 8	

To D° from Lemuel Courson	2
To D° from John Goodwin	1–13– 3
To D° from Ichabod Corvell	10– 5
	18 .. 12 .. 6½
To D° from Thomas Abbot	7–14– 1
To D° from Disco Nocke	15– 6
To D° from William Gubtail	3– 3
To D° from Richard Door	4– 1
To D° from Joshua Hodsdon	1– 8– 5
To D° from Joshua Abbot	2– 5– 1
To D° from Joshua Tebbets	2– 7
To ballance recd from Jam^{s} Bracket	6–
	12–19
To D° from Jacob Lord	£ – 4– 5
To D° from Sam^{l} Gubtail	2– 4– 3
To D° from Abiel Hamilton	3–15–
To D° from Robert Tate	9–15– 4
To D° from Tobias Lord	37– 5– 5
To D° from Israel Hodsdon	10– 7
To D° from Moses Hodsdon	9– 2
To D° from Joseph Hardison	9– 7
	54–13– 9
To ballance of Isaac Brackets Note	.. 6– 8
To recd of Thomas Heard	3– 9– 2
To D° from Benj^{n} Heard	9–19– 9
	13–15– 7
To Cash rec^{d} on Isaac Hansons Mortgage	705– 6– ½
Ballance due the Administrators	989– 9–10
	£1694–15–10½

The said Administrators pray an allowance for the following Articles Viz—To 2 men 11 days searching for the body of the intestate & finding them @ 6/ pr day	6–12
To boat hire 11 days for D° 2/5 p^{r} day	1– 6– 7
To a Coffin 12/ digging a grave	1– 4
To pd for ringing Bells, fixing graves stones &c	16
To Gravestones & transporting them	2– 8
To Sundry articles of mourning bought by M^{r} Wood of M^{r} Jn° Penhallow p^{r} rec^{t} (N° 1)	2– 8–10
To p^{d} M^{r} Dan^{l} Wood for lines hooks &c (N° 2)	1–14– 3
To 12 y^{ds} Bomazine for gown @ 3/ p^{r} y^{d}	1–16
	18– 7– 6

To p^{d} M^{r} Dav^{d} Moore for Articles of mourning (N° 3)	5– 4– 6
To p^{d} Tho^{s} Noble for making 2 suits of mourning & finding him	1– 4
To paid for grapling hooks &c	3–12
To paid M^{r} David Moor for 4 y^{ds} of stuff for gown for Nancy Lord for mourning @ 4/9 p^{r} (N° 4)	19
To paid Jon^{a} Ricker	2–13– 2
To paid Sam^{l} Stillings	9– 2
To paid David Nichols	13– 9
To paid Daniel Wood	1–16– 6
	16–12– 1

To p^{d} Journey to York to take out letters of Administration, horse hire, & expences 48/ & paid Judge & Register 12/	3
To day attend^{s} on appraisers & finding them	1– 4
To Jn° Costelloes Acct for repairs	16– 8– 8

To paid Joseph Prime	2– 6– 8
To p^{d} Joseph Marden's ballance	5
To paid Doc^{r} Carrs D°	17–10
To paid Jn° Gorvells ballance	14– 7
To paid John Tucker's ditto	2–17– 7
	27– 9– 4

To paid Tristram Heards D°	8
To paid Benj^{n} Stanton's D°	8½
To p^{d} Paul Ford's ballance	7– 8
(N° 8) To paid Sam^{l} Furbish's D°	11– 5
(N° 9) To paid John Tucker's D°	2– 6– 3
(N° 10) To paid Paul Lords D°	6–18– 4
(N° 11) To p^{d} M^{r} Jacob Sheafer Acc^{t}	15–10– 7½
	25– 5– 8

To paid Cap^{t} George Boyd's Note	77
To one third of the personal Estate	181– 6– 8
To schooling, boarding, cloathing & maintaining Samuel Lord son of the Intestate 2 years	64– 8
To boarding, cloathing & supporting Nancy Lord daughter of the intestate from 17th May 1773 to the 17th of May 1780 @ 12/ pr week	218– 8
	541– 2– 8

To boarding, cloathing & supporting Charlotte Lord daughter of intestate from 17th of May 1773 to the 17th of April 1782 being 464 weeks @ 12/ p^{r} Week	278– 8
To boarding, clothing, & supporting George Lord son of the intestate from the 17th of May 1773 to the 17th day of May 1780 being 364 weeks @ 12/ pr week	218– 8

To boarding, Cloathing & supporting Lydia Lord Daughter of the intestate from the 17th of May 1773 to the 17th of April 1782—464 weeks @ 12/ pr Week	278– 8	
To boarding, cloathing & supporting Isaac Lord son of the intestate from the 17th of May 1773 to the 17th of April 1782—464 weeks @ 12/pr week	278– 8	
	1053–12	
To paid Mr Joshua Pray		17– 9½
To paid Paul Welch		2– 4– 8
To paid Nathan Lord Junr		1–18– 6
To paid Ebenr Hanson		15– 6
To paid James Gubtail		1–18– 6
To paid Thomas Abbot 3d		1– 5
To paid Joshua Hubbard		9
To our time & expences several times attending Probate Court to exhibit this Acct &c	2– 8	
To probate fees on this account		9– 8
	12.. 6.. 7½	
	£1694..15..10½	

John Sullivan
John Costelloe
Lydia Costelloe

York Ss } At a Court of Probate held at York 31st of August 1786 The foregoing account having been for some time under my consideration, & being now sworn to by the said John Sullivan & being examined I do disallow of the charge made therein of one third part of the personal estate amounting to —£181–6–8 becaus I do not find any law that impowers

Administrators as such to appropriate the personal estate, or any particular part or proportion of it to their own use nor do I find that the Widow of an intestate is intitled to one third part of the personal estate until after the payment of debts &c I also disallow of the several articles charged for boarding, cloathing & supporting Samuel Lord & other children amounting to £1336 .. 8 because it seems to me that on the death of an intestate his estate immediately vests in his widow & children, in the proportion the law prescribes subject to the claims & creditors & the necessary expences arising in transacting the settlement of the estate: that if I allow these articles for the supporting & maintaining the Children out of the estate at large it will be in effect making a different distribution of the estate, than the law directs, for it appears to me, that each Child, if it needs support & maintenance ought to have it from its own particular share or part of the estate — I also disallow of the charge of £77 – as paid George Boyd, there appearing no voucher for the same — The other charges in the Deb^{t} side of said account, amounting to £100 – 1 – 2½ being duly vouched are allowed: which makes a ballance of six hundred & four pounds four shillings & ten pence in the hands of the Administrators, for which they are accountable—

Joseph Simpson Judge

The said John Sullivan claimed an Appeal from this decree, unto the next Supreme Court of probate to be held for this County, which was granted & at the same time filed his reasons of appeal in the probate office, & gave bonds in the sum of twenty pounds with two sureties viz Paul Dudley Woodbridge & William Frost to prosecute the said appeal with effect —

Attest Daniel Sewall Regis^{r}

Reasons of Appeal from the decree of the Judge of probate upon the Administration account of the estate of Samuel

Lord the third, late of Berwick in the County of York deceased intestate, Viz,

First — That the Judge has disallowed the several charges for support & maintenance of the children while Minors, which ought to have been allowed

2^{dly} That the Judge has disallowed the charge to the Widow which she makes, of one third of the personal in her favour, when he has allowed the charge against her for the whole of the personal estate —

3^{dly} Because the Judge has disallowed many charges in the account which ought to have been allowed & has curtailed many others, which ought to have been allowed in full —

John Sullivan

in behalf of himself & Lydia Costelloe — Administrators
York, 31st August 1786 —

York Ss August 31st 1786 Then received the following reasons of Appeal & filed the same in the Probate Office —

Attest Daniel Sewall Reg^{r}

Copied from the original, by Daniel Sewall Register

Know all Men by these presents, that we John Sullivan of Durham in the County of Stafford & State of New Hampshire Esq^{r} principle, & Paul Dudley Woodbridge Gentleman, and William Frost Esq^{r} both of York in the County of York, as sureties, both within the Commonwealth of Massachusetts — are holden & stand firmly bound & obliged unto Joseph Simpson Esq^{r} Judge of probate of Wills, & granting Administration within the County of York in the full sum of twenty pounds, in lawful money of said Commonwealth, to be paid unto the said Joseph Simpson, his Successor in the said Office or Offices — To the true payment whereof we do bind ourself & each of us, our & each of our heirs Executors & administrators, jointly and severally, for the whole & in the whole,

firmly by these presents — Sealed with our seals — Dated the thirty first day of August Anno Domini — One thousand seven hundred & eighty six

The Condition of this present obligation is such that whereas the above bounded John Sullivan Esq^{r} hath claimed an Appeal from a decree this day passed by the Judge of Probate or an Administration Account, exhibited by the said John Sullivan & others against the estate of Samuel Lord the third late of Berwick in said County Merchant deceased intestate in which decree a great part of the said Administration account is disallowed — Now if the said John Sullivan, shall & do prosecute the said Appeal with effect at the next Supreme Court of Probate to be held at York, within & for the County of York aforesaid — and shall also pay all intervening Costs & damages to the heirs of the said Samuel Lord deceased, in case the said Decree shall not be altered or reversed, without fraud or delay, then this Bond to be void & of none effect; otherwise to remain in full force & virtue —

Jno Sullivan [Seal]
Paul D Woodbridge [Seal]
W^{m} Frost [Seal]

Signed sealed & delivered in presence of
Oliver Teal, Norton Woodbridge

York Ss Rec^{d} 31st of August 1786 and filed in the Probate Office

Attest Daniel Sewall Register

Copied from the original by Daniel Sewall Register,
True Copy Attest Sam^{l} Cooper to the Senate

York Ss May 2^{d} 1787 Then Jer^{e} Folsom personally appeared and made solemn oath that he Left a paper whereof These three sheets contain an Exact Copy attested by Sam^{l}

Cooper Clerk to the senate with Joseph parsons of Parsons field who married a Daughter of Sam[l] Lord the 3[d] Deceased and another which appeared to be a Copy of That Copy with David Hobbs who married another Daughter of the said Samuel Lord & Lives in said Parsons field that he the Deponent examined said Copies & found them to correspond with this & that he Left a true Copy at Each of the Dwelling Houses of the aforesaid Parsons & Hobb on the 2d Day of May 1787

sworn before me

Jon[a] Kinsman Just[t] pac[s]

Durham in New Hampshire May 31[st] 1787

Sir

I have The honor to Inclose you for the perusal of the honorable General Court a Copy of my memorial with the order of Court and any affidavit Thereon of the service on two of the heirs of Samuel Lord deceased. There is one other Daughter married to an osborne who lives somewhere in the County of Cumberland I did not suppose it necessary to serve them all; of Course he was not served; but I presume that he was instantly notified by the others — a son of the Deceased by the name of George. The Administrators have paid off and Taken a release in full we could not therefore suppose it necessary to notify him; a Younger son called Isaac is now under our care at a Salem school in the Country at a Distance where he has resided for some time he is a minor & I could see no use in serving him with a Copy nor could I suppose it necessary by the order of Court to Leave more than one Copy. I hope the service made will therefore be agreable to the sentiments of the Hon[ble] House. I now find myself under the painful necessity of asking the favor from the Courts to put over the hearing untill their next session It unfortunately happens

That The day appointed for the hearing is on the Day of our Election in this state and I need not inform you That it is not possible for me to attend the hearing at that time or at any time during our June Sessions and without my being present it will be impossible That the honorable Court Can have the matter fully explained to them & the Difficulties attending The Administration clearly pointed out I therefore beg That the hearing may be postponed to the next session at which time I will appear in person & I flatter myself be able to convince The honorable Court that it is not possible to have the Estate of M^{r} Lord settled with Justice to the Administrators, & heirs in the common Course of Law. Your honors can easily discover the necessity of this request & to Gentlemen who have the weight of public business upon them Arguments would be unnecessary to convince them of the Importance of attending to public business at this Critical moment. The heirs cannot be injured by granting This request as I will venture to affirm that in Justice There is not a farthing coming to either of them out of the personal Estate of the Deceased & the Real Estate remains untouched. on the Contrary a very Large sum is Due each of them to the Administrators for Boarding Schooling Cloathing and if they wished for nothing more than Justice They could have no objections to Commissioners being appointed who could & would take time to Examine the whole affair to the Bottom & do strict Justice to all parties which if they prefer to having the matter postponed I now agree that the general Court shall appoint any Characters Whom they may think proper I have no objections to any Gentlemen in the County Whom the Court may think proper to name only begging Leave to exclude the Hon^{ble} Judge Sewall & Daniel Sewall Esq^{r} for reasons that are not necessary to mention: There are Enough beside them in the County, and in Case the heirs wish to have Justice done to the administrators as well as to themselves They cannot object

to this proposal and if they incline to use their utmost Efforts to gain unfair advantages over the adm^rs which from Experience I am strongly inclined to believe I must rely on the Justice of the Hon^ble Court, to give me an opportunity of appearing & seeing for myself which they must all be sensible is out of my power at this time — I have employed no Counsel to appear for me before the honorable Court I rely on the Justice of the Case the fairness of my proposals & the wisdom & Candor of the members not having the Least Apprehension That I shall want advocates in an assembly famed for their Love of Justice and watchfulness to prevent disadvantages from being taken of those whose Duty as servants of the public compel them to be absent.

With the most perfect consideration I have the honor to be sir your most obedient & very humble serv^t

Jn° Sullivan

The Hon^ble The Speaker of the House of Representatives Common Wealth of Massachusetts —

In the House of Representatives June 6, 1787

Read & sent up

I Warren Spk^r

In Senate June 7^th 1787 —

Read, and with the papers accompanying, committed to Eben^r Bridge and Joseph B. Varnum Esqr^s with such as the Hon^ble House may join — to consider & report what may be proper to be done thereon —

Sent down for concurrence

S Adams Presid^t

In the House of Representatives June 11, 1786

Read & concurred & M^r Beckford, M^r Fowler & M^r Coney are joined

I Warren Spk^r

To the hon the Senate and house of Representatives of the Commonwealth of Massachusetts in general Court assembled

Joseph Parsons and Lydia his wife, David Hobbs & Charlotte his wife & James Osborn and Nancy his wife which said Lydia Charlotte & Nancy are three of the Children and heirs of Samuel Lord late of Berwick in the County of York trader deceased in answer to the Petition of the honorable John Sullivan Esq one of the administrators of the Estate of the said Samuel deceased intestate praying for the appointment of Commissioners for certain purposes mentioned in said petition humbly beg leave to observe, that they do not conceive it to be at all necessary for the first of those purposes in examining the whole affair of the administration upon said Estate, that such Commissioners should be appointed; because that whole affair is depending by appeal before the supreme Judicial Court as the Supreme Court approbate to be holden at York on the fourth tuesday of June next and as they are the legal Judges of it so it is apprehended they are as well qualified & as Competent to the business as any Commissioners that might be appointed — Nor does it appear to your respondents at all necessary for the second purpose mentioned in making reasonable allowance to the administrators for any loss by depreciation of paper money by them rec'd in payment of debts due to the estate, because the said supreme Court of probate have as your respondents conceive as full power to make such allowances if just & equitable as is necessary or as any Commissioners ought to have — But upon this head they beg leave to observe that the whole sums of debts credited by the administrators is but about one hundred pounds — that no loss is specified upon any of those debts, nor was any allowance requested therefor before the Judge in the Administration account exhibited & that they have no reason to believe that any of said debts were rec'd in paper

money.— They would further observe that if any were so received, the administrators might have kept the money and the heirs would have been obliged to receive it by law; If any of them thought proper to speculate with it, they ought to bear the loss if there was any. There appears to your respondents less reason still for the appointment of Commissioners for the third purpose mentioned in the making reasonable allowance to the administrators for sums said to be expended for the education and maintenance of the heirs.

The petitioner seems to be sensible & from his acquaintance with the law must know that y^e^ Education & maintenance of y^e^ Children of the intestate is no part of the business or duty of Administrators — and indeed the allowance of sums so expended out of the estate would work the greatest injustice, by depriving Creditors of their just debts, and by distributing the Estate, in effect, among the heirs in very different & unequal portions & otherwise than the law would distribute it. As there are good reasons why the Supreme Court of probate should not allow such charges, so they are equally good against Commissioners allowing them, and of Consequence against the appointment of such Commissioners. Your Respondents beg leave to note the fallacy of the petitioners plea under this head for such appointment in that those sums were expended by John Costeloe who married the other administrator, in the absence of the Petitioner in the service of his Country, the said Costeloe not knowing the necessity of taking out letters of guardianship, & not being able to receive the advice & direction of the Petitioner upon the subject; whereas it appears from the administration account exhibited to the Judge by the petitioner himself, that those Charges for y^e^ Education & support of the heirs begun at the time of the intestates decease the year before General Sullivan went to Congress in 1774 — and were continued several years after his return from the army in 1779 — untill the year 1782.

Your respondents would further observe that those Charges cannot be considered in any other view than as separate demands of the said Costeloe in his private Capacity against the heirs respectively for necessary Education food & Cloathing while Minors, & that his legal remedy for recovery of them is by commencing actions against each of them at Common law — and that they have each of them a right to dispute those demands in law, and a right to a trial by Jury agreeable to the 15th Article of the bill of rights which expressly declares that in all controversies concerning property and in all suits between two or more persons, except in cases in which it has heretofore been otherwise practised the parties have a right to a trial by Jury & this method of proceedure shall be held passed; But should your honours appoint Commissioners to try and determine these demands & make allowance for them to the Administrators, it would deprive your respondents of the Right of trial by Jury in Cases in which such trial has heretofore been immemorially used & in which it has never been otherwise practised, & would besides be creating a Contract between the Petitioner & your respondents, and making him a Creditor for Sums never advanced by him & which they never either expressly or by implication of law promised to pay Your Respondents would further object to the appointment of Commissioners, because it will tend to create further delay, above six years have elapsed since the return of General Sullivan from the army, the impediments mentioned in his petition have been long since removed, and the estate is not yet settled — They hoped for a final Judgment at the next Supreme Court of Probate, but if the Cause is withdrawn from their Jurisdiction to that of Commissioners it will be impossible to say when there will be an end of it.

They would further observe that there is nothing peculiar in the present case to take it out of the Common Course of law — and the appointment of a Court of Commissioners to try

it would establish a precedent, and lay the foundation for innumerable applications of the like kind & great part of the business of probate Courts would be drawn before novel Jurisdictions & Courts of Commissioners.

They admit they did decline a submission of the dispute to arbitrators which was never proposed till the year 1785 because they conceived that considering their own ignorance & inexperience compared with the legal knowledge abilities & influence of General Sullivan & the difficulty & expence of procuring Council before arbitrators, they would labour under great disadvantages, and because they conceived that the Controversy might as speedily & as equitably be determined by the Supreme Court of probate as by any Arbitrators whatever.

They would further observe that they should have no objection to allow and pay out of their respective shares of their Fathers Estate any just demands for Education & maintenance, but they obliged to deny that large or indeed any considerable sums were expended for that purpose by the said Costeloe, and on the contrary to declare that their education was shamefully neglected by him that they were cruelly treated, & some of them turned out of doors & yet the enormous sum of £1336 .. 8 is charged for their education and maintenance a sum large enough to sweep away all their paternal Inheritance real & personal, When your respondents suppose that the interest of the personal Estate great part of which being debts received on notes of hand, is not credited nor accountable for, and the income of the real Estate with their own labour properly directed would have been sufficient to defray the expence of all the poor education & maintenance they ever received.

Wherefore and for other reasons too many to trouble your honours with in this answer. Your Respondents humbly pray that the Petition aforesaid may be dismissed, and that

the decision of the Disputes aforesaid may be left in the hands of the Supreme Court of probate & of the Courts of Common Law, respectively to which the Constitution & laws of the land have wisely committed them.

And your Respondents as in duty bound shall ever pray &c

David Hobbs }

For himself and in behalf of the other Respondents.

Petition of a Committee of the Town of Lebanon in County of York.

To the Honourable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled February 21st 1787.

The Petition of Thomas Wentworth Samuel Copp and Peter Keay a Committee of the Town of Lebanon in the County of York for such Special Purpose appointed together with the non resident Proprietors and owners of Grants and Lotts of Lands in Said Town Humbly Sheweth That Whereas the Proprietors of the Common and undivided Lands in the Plantation of Lebanon in the County of York in the Year one Thousand Seven Hundred and Sixty five being Sometime before the Same was incorporated into a Town contracted with Mr Isaac Hasey in Consideration of his settling in the Work of the Ministry in said Place to pay him annualy eighty six Pounds Thirteen Shillings and four Pence Lawfull Money for the first eight Years of his Ministry in said Township and the Sum of Seventy Three Pounds Thirteen Shillings and four Pence like Money after the Term during his Ministry in said Township — Which Contract on the Part of said Hasey has hitherto been fully complied with and the said Hasey yet remains the settled & ordained Minister

of the Congregational Church and Assembly in said Town —

That said Proprietors have paid and satisfied the annual Sums agreed upon with said Hasey untill the Twenty Six Day of June Anno Domini one Thousand Seven Hundred and eighty two Since which Time the annual Salary due to Said Hasey for his Ministerial Labours in said Town is in Arear and unpaid.

And near or quite all the Lands being divided and held in severalty The Proprietors find themselves unable (agreeable to the Laws of The Government as they now stand) to comply with their said Agreement by Assessments thereon — And whereas the Inhabitants of the Town of Lebanon and the non-resident Proprietors and owners of Grants and Lotts of Land within the Grounds and jurisdiction of the Town of Lebanon have mutually agreed to have a Tax laid and Assessed upon all the Lands within the Bounds and jurisdiction of said Town only, and upon every Acre thereof equally improved or not improved (excepting such Lands as are by Law exempted from Taxation for the Support of Government) exclusive of Polls and Personal Estate) for the Purpose of raising a Sum Sufficient to pay said Hasey his Salary that is now due him for Past Services — And Also to Assess Such Sum Annually, upon the Lands only and upon evry Acre thereof equally as will Pay said Hasey the aforementioned Sum of Seventy three Pounds Thirteen Shillings and four Pence during his Ministry in said Town or So long as the Town shall Choose such a Mode of Taxing for said Purpose which seems to be the Meaning and Intent of the original Contract and Agreement

Wherefore we pray your Honours that an Act of the General Court may pass to authorize Said Town of Lebanon to Assess upon the Lands and upon every Acre thereof equally within the Bounds and Jurisdiction of said Town (exclusive of Polls and Personal Estate) improved or not improved

(excepting Such Lands as are by Law exempted from Taxation for the support of Government) a Sum Sufficient to pay M[r] Hasey the sum due to him from the Twenty sixth of June one Thousand Seven Hundred and eighty two to the Twenty Sixth of December one thousand Seven hundred and eighty Six And from that Time his Salary Annually so long as the Town shall agree upon that Mode of Taxing for said Haseys Suport agreeable to the original Contract also Sums to pay for Assessing and Collecting the Same

And that the Said Contract and Agreement of Said Said Proprietors of Lebanon aforesaid made with Said Hasey so far as relates to the Payment of his Salary before recited already due and Such as may hereafter become due during the Time M[r] Hasey Shall continue in the Ministry in said Town be transferred from Said Proprietors to the Inhabitants of the Said Town of Lebanon in as full a Manner as if the said Inhabitants had in their corporate Capacity originally made and entred into said Agreement with Said Hasey — under Such Regulations as your Honors may think Necessary to secure the Annual Payment of M[r] Haseys Salary upon the Plan and Method Proposed in the foregoing Petition and as in Duty bound your Petitioners Shall ever Pray

Lebanon October 30[th] 1786

Tho[s] M Wentworth, Samuel Copp, Peter Keay } Committee in behalf of the Town of Lebanon

We the Subscribers non resident Proprietors and owners of Grants and Lotts of Lands within the bounds and Jurisdiction of the Town of Lebanon aforesaid do agree to the foregoing Petition and join with said Town of Lebanon in the Prayer thereof that an Act may be passed for carrying the Same into Execution as above pray'd for

Dominicus Goodwin, James Goodwin,
Ichabod Goodwin, Moses Carr,

Moses Ricker, Thomas Wallingford,
Jonathan Hamilton, T. Rollins,
Rich[d] F Cutts, John Haggins.

I the subscriber consent that the Contract which the Proprietors of the Town of Lebanon in the County of York made with me for my Support in the Work of the Ministry in said Town so far as it relates to the Payment of my Salary may be transferred to the Inhabitants of said Town of Lebanon provided that the said Inhabitants in their corporate Capacity be subjected to fullfil said Contract and pay s[d] Salary.

Isaac Hasey

This Certifies that I the subscriber have served as Clerk of the Proprietors of Lebanon from the year 1754 to the time of their compleating the division of all their Lands in s[d] Township into Lotts which was in the year 1783 which is now held in severalty and that the Person signing on the other side as non resident proprietors are persons who usually transacted business at their Meeting before a final decision took place and I suppose now all the principle owners of the Lotts in s[d] town but what are owned by the Inhabitants and I do agree that the prayer of the within petition may be granted so far as I am interested in any of the Lotts or Grants of Land within s[d] Town of Lebanon under such regulations as the General Court think proper

Benj Chadbourn

Act for rendering processes in Law less expensive.

Commonwealth of Massachusetts
In the Year of Our Lord one thousand seven hundred & eighty seven.—

An Act in addition to an Act intitled "An Act for rendering processes in Law less expensive" No provision is made

for the plan^{t} when there are more than one Def^{t} & living in different Counties in this Commonwealth

Be it enacted by the Senate & House of Representatives in General Court assembled, and by the Authority of the same, in all causes against two or more persons inhabiting in several counties, or where the def^{t} or def^{ts} have any goods or estate in any county or place other than that wherein the Def^{t} or Def^{ts} may reside, the writ of Attachment may run into the county where either of the def^{ts} live or have any real or other estate, & in such cases shall be executed by the sheriff or other officer to whom the same may be directed.—

Be it further enacted by the Authority aforesaid that the plaintiff or plaintiffs in any action of trespass Quare clausum fugit — Action of covenant upon a deed for transfering real estate Action of debt on Judgment or of debt or covenant on Bonds or other specialties when the penalty may by Law be chancer'd — Actions against any town or other Corporation, or against any sheriff or any neglect in his office,— Actions of Replevin, and Actions on the Absconding Act, may originate in the Court of Common pleas, provided the demand does exceed the sum of four pounds, any Law, Usage or Custom to the contrary notwithstanding.—

Be it enacted by the Authority aforesaid, That if either party think themselves aggrieved at the Judgment of any Court of Common pleas they may appeal from said Judgment to the supreme Judicial Court in the same manner as if the Action had been originally commenced there.—

Be it enacted by the Authority aforesaid that if the plaintiff fails to appear & prosecute his suit, the Justice shall award to the def^{t} his costs taxed as the Law directs

Be it enacted by the Authority aforesaid that when it happens that the def^{t} is not an inhabitant or sojourner within this Commonwealth, or is absent out of the same at the time of commencing such suit, & shall not return before the time for

tryal the Justice before whom such suit shall be brought shall continue the action for the term of three months and if the defendant does not appear by himself or Attorney, & is so remote that the notice of such suit depending could not probably be conveyed to him, during the Vacancy the said Justice at such next court may further continue the action for the further term of two months, & no longer, & in such case where judgment is entered up by default, after two continuances, as aforesaid, Execution or writ of seizen shall be stayed, & not issue untill the plaintiff or demandant shall have given bond with one or more sufficient securities, in double the value of the estate, or sum recovered by such judgment to make restitution & to refund & pay back such sum as shall be given in debt or damage, or such as shall be recovered upon a suit therefor to be brought within twelve months next after entering up the first judgment, if upon such first suit the judgment shall be recovered, annulled or altered, the security aforesaid to be no further answerable than for the recovery which shall be made upon such suit to be had within twelve months as aforesaid.— Provided also That no real estate taken in Ex^{on} granted upon such first judgment, shall be alimated or put away, untill after the Expiration of the said twelve months, to the intent that restitution thereof may be made in case as aforesaid.—

Be it further enacted by the Authority aforesaid That when an Ex^{on} issued by any justice of the peace shall be extended on any Land or other real estate, the same proceedings shall be had thereon in every respect as are provided in and by an Act entitled an Act "directing the issuing, extending and serving of executions —

Be it further enacted by the Authority aforesaid that nothing in this Act, or the Act to which this is an addition shall be construed so as to prevent the Citizens of this Commonwealth from any remedy they had against the Citizens or

subjects of any other state or kingdom before the passing thereof —

Extract from Document entitled "Choice of Town-Officers, &c."

Town-Clerk to record such as are sworn into office

And if the person summoned shall make default, or appearing, shall not shew sufficient cause to the Court for his refusal, the Court shall order a warrant under the seal thereof, directed to any of the constables of the same town then in office, to levy the line by distress and sale of the offenders goods and chattels, returning the overplus, (if any be) together with the costs arising on such prosecution; and for want of goods and chattels, to commit the delinquent to prison until the same shall be paid. And the Town-Clerk, shall make a record of such persons as shall from time to time, be sworn into office before him, or of such as shall file certificates of their being sworn as aforesaid.

In case of vacancy in any office, towns may proceed to a new choice.

And be it further enacted, That when by reason of non-acceptance, death or removal of any person chosen to office in any town, at the annual meeting for the choice of town officers, or at any other time, or by reason of a person's becoming noncompos, there is a vacancy, or want of such officers, the town, being orderly assembled in the manner this act directs, may proceed to a new choice of officers to supply and fill up such vacancy; and the person or persons thus chosen and sworn before the town-clerk, or a Justice of the Peace, (in case an oath of office is by law required) shall have the same power and authority to discharge the duties of the office, as though chosen at the annual meeting for the choice of town-officers.

Manner of calling town-meetings.

And be it further enacted by the authority aforesaid, That when there shall be occasion of a town meeting, the constable or constables, or such other person as shall be appointed for the purpose, by warrant from the selectmen, or the major part of them, shall summon and notify the inhabitants of such town to assemble at such time and place, in the same town, as the selectmen shall order, the manner of summoning the inhabitants to be such as the town shall agree upon; and when ten or more of the freeholders of a town shall signify in writing their desire to have any matter or thing inserted in a warrant for calling a meeting the selectmen are hereby required to insert the same in the next warrant they shall issue for a meeting, or call a meeting for the express purpose of considering thereof; and no matter or thing shall be acted upon in such a manner as to have any legal operation whatever, unless the subject matter thereof be inserted in the warrant for calling the meeting; and in case the selectmen shall unreasonably deny to call a meeting upon any public occasion, any ten or more of the freeholders of such town may apply to a Justice of the Peace within and for the same county, who is hereby authorized and empowered to issue his warrant under his hand and seal, directed to the constable or constables of the town, if any such there be otherwise to any of the freeholders applying therefor, directing him or them to notify and warn the inhabitants qualified to vote in town affairs, to assemble at such time and place in the same town as the said Justice shall in said warrant direct, and for the purpose in the same warrant expressed. And when by reason of death, removal or resignation of selectmen, a major part of the number originally chosen shall not remain in office within any town, in every such case, a major part of the survivors, or of such as remain in office, shall have the same power to call

a town meeting as a major part of the whole number first chosen.

Town-Meetings regulated.

And be it further enacted by the authority aforesaid, That at every town-meeting, a moderator shall be first chosen by a majority of votes, who shall be thereby empowered to manage and regulate the business of the meeting; and when a vote, declared by the Moderator, shall immediately after such declaration, be scrupled or questioned by seven or more of the voters present, the moderator shall make the vote certain, by polling the voters, or such other way, as the meeting shall desire. And no person shall speak in the meeting before leave first had and obtained from the moderator nor when any other person is orderly speaking; and all persons shall be silent at the desire of the moderator, on pain of forfeiting five shillings for the breach of every such order, to the use of the town: and if any person shall, after notice from the moderator, persist in his disorderly behaviour, then it shall be lawful for the moderator to direct such disorderly person to withdraw from the meeting; and such disorderly person, upon his refusal or neglect to withdraw, shall forfeit and pay a fine of twenty shillings, to the use of the same town; and may also, by direction of the moderator, be carried out of the meeting by some constable of said town, and put into the stocks, cage, or some other place of confinement, and there be detained for the space of three hours, unless the town-meeting shall sooner adjourn or dissolve. And all suits and information for fines incurred by a breach of this act, not exceeding forty shillings, may be heard and determined before any Justice of the Peace in the same county, not an inhabitant of the same town, unto whom the penalty or any part thereof is given, who, upon conviction, may enforce the payment thereof by a similar process, as is herein prescribed in the Court

of General Sessions of the Peace for persons who refuse to serve in the office of constable.

Proviso.

Provided always, That town-meetings for the choice of governour, lieutenant-governour, and senators, shall be regulated as the constitution directs, and for the choice of representatives as is otherwise by law prescribed; any thing in this act contained to the contrary notwithstanding. And the moderator of any town-meeting, chosen as aforesaid, is hereby authorized, in case no Justice of the Peace be present, to administer to the clerk, in open town-meeting, the oath by law prescribed to the same office.

Towns empowered to grant & assess money for necessary charges

And be it further enacted by the authority aforesaid, That the free-holders, and other inhabitants of each respective town, qualified as aforesaid, at the annual meeting, for the choice of town-officers, or at any other town-meeting regularly warned, may grant and vote such sum or sums of money, as they shall judge necessary for the settlement, maintenance and support of the ministry, schools, the poor, and other necessary charges, arising within the same town; to be assessed upon the polls and property within the same, as by law provided; and they are also hereby empowered to make and agree upon such necessary rules, orders and by-laws, for the directing, managing and ordering the prudential affairs of such town, as they shall judge most conducive to the peace, welfare and good order thereof; and to annex penalties for the observance of the same, not exceeding thirty shillings for one offence; to enure to such uses as they shall therein direct; provided they be not repugnant to the general laws of the government; and provided also, such orders and by-laws shall have the approbation of the Court of General Sessions of the Peace of the same county: And may also allow and approve

of any town or private way laid out by the selectmen of the same town, or alter or discontinue any town or private way, heretofore laid out and improved as such, when it shall appear that the same is unnecessary for the inhabitants of such town. Saving always, to any person aggrieved, or who thinks himself injured, liberty of applying for remedy to the Court of General Sessions of the peace in the same county, who are hereby empowered and directed, to enquire into and determine the matter by a jury, thereunto appointed, as well with respect to the necessity and convenience, by such discontinuance, laying out, or alteration, as to the damage that may happen or accrue, to any particular person or persons thereby; and thereupon to assess damages for the party injured, to be paid by such town; unless it appears, that the person on whose behalf application has been made, had no just cause of complaint; in which case the complainant shall pay all such costs and charges as may arise by such application to the Court of Sessions. And the verdict of a jury being received and recorded, shall be final and conclusive. Provided, such application be made to the Court of General Sessions of the Peace, within twelve months after such way is approved, altered, or discontinued, as aforesaid, and not otherwise.

Inhabitants of every town, declared a body politic.

And be it further enacted by the authority aforesaid, That the inhabitants of every town within this government, are hereby declared to be a body politic and corporate; and as such, may commence and prosecute any suit or action in any Court proper to try the same; and may also defend any suit or action commenced against them, and for this purpose, the said inhabitants, qualified and convened in manner aforesaid, may nominate and appoint one or more agents or attornies. The choice of the agent or attorney certified by the town-clerk, shall be deemed and taken sufficient evidence of such appointment. And when any suit shall be commenced against

any town, (or other body corporate) a copy of the writ or original summons, or such other legal process as may issue against them, shall be left with the clerk of such town, or with one or more principal inhabitants thereof, (or with the clerk or some principal member of the body corporate, thirty days at least before the day of the sitting of the Court, unto which the same shall be returnable.

Privileges and powers of districts.

And be it further enacted by the authority aforesaid, That all places incorporated by the name of districts, before the first day of January, one thousand seven hundred and seventy-seven, are hereby declared to be towns to every intent and purpose whatever; and places incorporated by the name of districts since the same first day of January, one thousand seven hundred and seventy-seven, or such places as may hereafter be incorporated by the name of district, are and shall be entitled to all the privileges, and vested with all the powers in this act expressed, as amply to every intent and purpose as they could have been if expressly named herein.

Matters and things by law directed to be done at March meetings, may be transacted in April.

And whereas in divers laws, provision is made relating to the annual meetings in March, which it is necessary should be extended to the meetings holden in the month of April, in case the annual meeting of any town should be holden in that month;

Be it therefore enacted by the authority aforesaid, That all matters and things, which by any law or resolve of this Commonwealth, are directed to be done, and transacted at the town-meetings in March, may hereafter be done, and transacted at a town-meeting in April; anything in such law or resolve, to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, That all laws heretofore made for the purposes mentioned in this

act, be, and they hereby are repealed, and rendered null and void. [This act passed March 23, 1786]

Endorsed: You are commanded forthwith to apprehend Boston Feb^{y} 26, 1787

An Act directing the Time and Manner of appointing County Treasurers.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That there shall be annually chosen in each county within this Commonwealth, in the month of March or April, by the written votes of such persons as are by the constitution qualified to vote for Representatives in the several towns or districts, a discreet suitable person, being a freeholder, and resident in the same county, for a County Treasurer; the votes to be counted and sorted in the town or district meeting by the moderator thereof and town-clerk; the names of the persons voted for, and the number each person had, shall be recorded by the clerk in the town or district book, and an attested copy of such record shall be transmitted under seal to the next Court of General Sessions of the Peace, to be held within and for the same county, on the first day of the Court's sitting; there to be opened and compared with the like returns from the several towns and districts in such county: and the person having the majority of the said votes, and accepting of the said office, after being sworn to the faithful discharge of the trust before the said Court, or any two Justices thereof, quorum unus, and giving bond for the faithful discharge of the trust, with sufficient sureties in such penal sum as the Court shall direct, to the clerk of the peace for the same county, for the time being, and his successor in that office, shall continue in the said office for the term of one year, and until some other person shall be chosen and qualified as aforesaid in his room.

When no one person shall have a majority of the votes returned, Justices of the Court of Sessions may appoint a suitable person.

And in case, upon comparing the votes returned as aforesaid, no one person shall have a majority of the whole number of votes returned, or the person chosen shall decline accepting the office, or after accepting shall die, or resign, or remove out of the county, within the year; then, and in such case, it shall be lawful for the Justices of the same Court to appoint by ballot a suitable person, being a freeholder in the same county, to that office;

Petitions of Brownfield, Francesboro, Raymondston, Otisfield, Bridgetown, Canaan & Nos 1, 3, 4, 5, 6 & 22 Plantations.

Commonwealth of Massachusetts

The Committee of Both Houses; to whom was Comitted the petitions of the plantations, Called Brownfield, and Francesborough in the County of York, of Raymondtown, Otisfield, Bridgetown in the County of Cumberland, and of the Plantations of Canaan N° 1, N° 3, N° 4, N° 5, N° 6, and N° 22, in the County of Lincoln praying for abatement of their taxes. have attended that Service, and ask leave to report as their opinion, that it is expedient that the petitioners aforesaid, be refered to the next Session of the Genl Court, and that the said plantations be directed to take a Valuation of the ratable estate & number of Polls in the Several Plantations aforesaid and return the same into the Secretarys office; in the manner and at the time, as Provided in the Resolve hereto annexed, all which is Submitted.

Stephen Choate pr order

Commonwealth of Massachusetts

Resolved that the plantations Called Brownfield, and Francisborough in the County of York, of Raymondtown, Otisfield and Bridgetown in the County of Cumberland, and the Plantations of Canaan, N° 1, N° 3, N° 4, N° 5, N° 6, and N° 22, in the County of Lincoln; be and they hereby are directed to chuse three meet persons as assessors in each of the said Plantations in the month of March or April next who are humbly ordered [C], to take [E] on oath, a Valuation of all the ratable Estate of every Person in their respective Plantations, also the number of Polls agreably to the Schedule on which the Last Valuation was taken; [F] and the same to return into the Secretarys office on or before the Last day of May next; in order that the General Court may be enabled to make Such abatements as the Circumstances of the plantations aforesaid, and the Situation of the Commonwealth may require. And be it further Resolved, that the Sheriff of the [a] County [b] of Comberland [c] is hereby directed, in the mean time, to Stay Executions [e] he has against the Plantations of [d] Raymondtown & Bridgtown for Taxes; and the Secretery is hereby directed to Cause this Resolve to be printed in the Cumberland Gazette Six Weeks Successively. B

In Senate Feb^{y} 21st 1787
Read & accepted with amendments at C E F & A
Sent down for concurrence
Sam^{l} Phillips jun^{r} Presid^{t}

at C insert — after having been sworn faithfully to discharge the trust hereby assigned them

at F dele "On oath"

at F insert — and to require the same to be given an oath where they shall judge it necessary, which oath they are empowered to administer —

at A dele from A to B & insert — Send a copy of this resolve to each of the Plantations named therein, together with a copy of the Schedule by which the last valuation was required to be returned —

In the House of Representatives Feb^{y} 26, 1787

Read & concurred with amendment at a b c & d

Sent up for concurrence

Artemas Ward Speaker

At a dele County & insert Counties

at b insert York and

at c dele is and insert are

at d insert Brownfield

Report

In Senate Feb^{y} 27th 1787 —

Read & concurred as taken into a new Draft —

Sent down for concurrence

Sam^{l} Phillips jun^{r} Presid^{t}

In the House of Representatives Feb^{ry} 27, 1787

Read and concurred

Artemas Ward Speaker

Approved James Bowdoin

To the Hon^{ble} Senate & house of Representatives of the State of Massachusetts

The memorial of the People of the Plantation of Canaan Humbly Sheweth —

That your memorialists about 14 years ago, being in low & Indigent circumstances removed in this, then, Intire wilderness, thro' innumerable hardships have subsisted hitherto,

using the utmost Industy for Subdueing the land & procuring a very mean & wretched Subsistance for their numerous families in hopes, that In time, they Shall be more Comfortable, & be able to assist their Brethren in other parts of the State to bear the publick Burdens; But on acc^{t} of many disadvantages, they labour under thro the length of their winters, the Difficulty of clearing this heavy timbered land, & want of Road, & no market, & more than 30 miles from navigation, & of mills, they having been obliged to go 15 miles to mill & pay 10^{d} p^{r} Bushell for transport across the carrying place, & the Beasts of prey, which Renders our Small Stocks, both of Sheep & Cattle, very precarious, & thro' many other Inconveniences they find; at this Day, that they cannot procure even the necessaries of life, in a tolerable degree, for their families, being often forced to live for weeks together without any Bread, & without meat for more than half the time, a very few excepted, & to go almost naked, even in this Severe climate, & to live in hutts Incomparibly worse, than ordinary Stables to the Westward, & therefore we are oblidged to remonstrate to the Hon^{ble} Court, our total Inability to pay anything into the publick treasury —

That your memorialists labour under peculiar disadvantages for want of Incorporation, which disables them from collecting the little Strength they have to make roads, & do other things of Publick utility which inconvenience they have long endeavoured to remove by Repeated & Dutifull applications to this Hon^{ble} Court, but hitherto have not obtained what they think is their just right, & most reasonable request, but are still left in an unhinged state, after many months attendance on the Courts at Sundry times, in all which, they have, on a reasonable Computation, been at more than 80£ Expence, by which they are discouraged & disabled from any further attendance — but must leave this to the mercy of the Court —

That notwithstanding these distresses, which they have several times laid before this Hon^ble^ Court, they have a number of taxes laid on them, & hear that Executions are out against the assessors, which should they be levied, would intirely break up this Plantation, as all the stock & moveables in it, Sold in the ordinary way, would not satisfy them —

Your memorialists in view of these sore calamities are filled with distress, & even with Despair, unless this Hon^ble^ Court will compassionate their State & make some provision for their relief.

Therefore with all the earnestness of Suppliants, & hearts yearning over their Naked, & almost Starving children, they cast themselves, once more at the feet of their civil Fathers, & humbly beseech them to take their distressed circumstances into their wise & Compassionate consideration, & abate the taxes that have been laid on them, & spare them for the future till they Shall be in a capacity to pay, or if this Should be thot to much, it being impossible to pay either money grain or lumber into the publick treasury; they pray that the taxes called for, may be collected by the assessors or collectors in labour & other materials, part of it to be laid out in making & Repairing roads, building bridges many of which are actually necessary in this plan & 2 large Streams both of which will require 24 Rods of Bridge to render them passable; & part of it for Building a meeting house for the publick worship of God, of which we are Destitute & unable otherwise to Build & your memorialists as in Duty Bound Shall Ever pray

Peter Heywood,
John White,
Solomon Clark,
Sam^l^ Weston
Com^tee^ for the Plantation of Canaan

Canaan Decem^r^ 16^th^ 1786 —

In Senate Feb^{y} 2d. 1787 —

Read & committed to the Committee of both Houses appointed on a similar Petition from the Town of Gorham

Sent down for concurrence

Sam^{l} Phillips jun^{r} Presid^{t}

Canaan Petition

In the House of Representatives Feb^{ry} 20, 1787.

Read & concurred

Artemas Ward Speaker

To the Honourable Senet and Hous of Representatives in General Court Assembled —

the Petition of the Inhabitants of Ramond Ton in the County of Cumberland in the State of the Massachusetts Bay Humbly Sheweth that their hath been Sundre Requirements from Thomas Ivers State Treasurer to Assess and Colect State taxes but the Inhabitants not being Qualified to Choes town Officers by Reason of Poverty have not Assessed or Colected S^{d} taxes according to Requirements whereby their hath ben Several Executions transmited to the Shref of S^{d} County one for a Beef tax which y^{e} Inhabitants have given Security to y^{e} Shreef for but are Stil Unable to Pay we would inform your Honours that if y^{e} Shreff Should leve the Executions it would take from us all our living and not make Satisfaction According to Requirements we would Acquant your Honours that we are Extreem Pore their are many of us have but one Cow to a Famerly and Som not any their is in the Place more than =200= People Young and Old and have not more then forty Sheep to Cloath them Your Honours may Consider our Circum Stance for Cloaths near

half have not wherewith to keep them Cumfortable about their Labour many of their Children have neither Shoe or Stoking and their Parents not able to Provide them We are Under Dificult Circumstances for Provision their is not enough in the Place to Support the People two months if Equely Divided We know not which way to get it we live at So grate a Distance from a Seaport and lumber at So low a Price that it will Scarce Pay the transport and we have So few oxen in the Place that it is very Dificult to transport any we would acquant your Honours that their is no Money in the Place and if your Honours Should insist on our Paying y^e^ Afors^d^ Requirements it must inevetably brak Up the Setlemente which we would not wish to have done after spending So much Labour With Expectation of Reping the benefit in time & we hope by making more improvement that in time we Shall be able to Pay towards y^e^ Suport of Government as well as Some Part of the States dets we would acquant your Honours that some have moved out of the Place allredy on y^e^ Acount of being taxed under Such Dificult Circumstances. We would Under the Consideration of our inability to Pay the afores^d^ Requirements Humbly Suplicate Your Honours to Discharge us therefrom and as Education is heighly Recommended and we are not insenceble it is one of the gratest temporal blssings we Can injoy We Humbly Supplicate Your Honours Assestance in the Education of our Children as We are Unable to Educate them ourselves that they may be Usefull Members of Society We Humbly Pray your Honours to Consider our Petition in your Wisdom and Grant us Our Request and not drive us to a State of Desperation or Deal with us as your Honours in your Wisdom Shall think fit and we as in Duty Bound Shall Ever Pray

Raymondtown Feb y^e^ 5, 1787

Joseph Dingley, John Davis }
Committee for s^d^ Raymondtown

In the House of Representatives Feb^{y} 15, 1787.

Read & committed to the Committee of both Houses this day appointed on the petition from the Town of Gorham

Sent up for concurrence

Artemas Ward Speaker

Ramondton Petetion

In Senate Feb^{y} 15th 1787 —

Read and concurred

Sam^{l} Phillips jun^{r} Presid^{t}

To the Honorable the Senate, and House of Representatives in General Court assembled

The Petition of the inhabitants of Otisfield plantation Humbly Sheweth

That whereas your humble Petitioners have Rec^{d} a Warrent from Thomas Ivers Esq^{r}, Treasurer &c, dated Boston April 10th 1786 Requesting us to assess and, collect the sum of £90 to be paid into the Publick Treasury

Though we wish ever to be obsequious to Legislative Authority Yet we under a sense of our inability think it our duty to petition your Honours to suspend s^{d} Warrent, as we are too sensible of our presant need, and want of ability to Contrabute any thing to the Publick Chost, Though we wish it in our power,

We being an Infant plantation, our Setlors of the poorer part which lays us under a double disadvantage to that of older Towns.

Our distance from a Sea port, which is near 45 Miles, together with the badness of our Roads, and our Infancy, make it difficult for us to get the necessaries of Life, The fewness

of our number renders it impossible to remove that difficulty at present, as the most of our setlors have mov^{d} in since 1781 many of them by the Unhappy affects of the late War) or by the Depreciation of paper Money have moved here with Families destitute of almost every necessary of Life, and we as yet number but 22 Families, many of them are not able to keep a Cow and some destitute of that necessary Animal our Country being new we keep no Sheep and raise little or no Flax.

Our houses consist of Logs covered with barks and we are not in circumstances to make them better as it is but six Months since we have had a sawmill within 12 Miles We wish not to trouble your Honours by enumerating every peticular of our disadvantage, as a Word to the wise is sufficient.

Therefore we your Humble petitioners pray your Honors would take our Case into your wise consideration not Doubting our prayer will find a favourable reception and we your Dutiful subjects Exempted from paying s^{d} Tax And your petitioners as in Duty bound will ever pray

David Ray, Samuel Gamman, Noah Reed }
Committee appointed by the Setlors of s^{d} plantation to petition the General Court

Otisfield Plantation in the County of Cumberland June 8th 1786.

In the House of Representatives Feb^{ry} 15, 1787

Read & committed to the Committee of both Houses this day appointed on the Petition from the Town of Gorham

Sent up for concurrence

Artemas Ward Speaker

In Senate Feb^{ry} 15, 1787 —

Read & concurred

Samuel Phillips jun^{r} Presid^{t}

To the Hon^le^ the Senate, and House of Representatives in General Court Assembled.—

The Memorial of the Delegates for the several Towns, and Plantations, east side of Union River, Viz N° 1, N° 3, N° 4, N° 5 N° 6 and N° 22 in the County of Lincoln in Convention Assembled, humbly Shews — Whereas, by an Act of the General Court in March last, a Tax was levyed against the unincorporated Towns, and Plantations, in said County, with directions for collecting the same, addressed to their Assessors; Wherefore your Memorialists beg leave, to lay claim to that happy priviledge, (which from our good Constitution we enjoy) of being heard, and making known our grievances to that Body, who having the Power, we hope have the Will to redress.— The utter impossibility of paying the present Tax, is well known to every one who has an acquaintance with the situation of this eastern part of this Country, And your Memorialists beg leave, to lay before your Honors that situation, and feel themselves confident, that it requires little else than the representation, to ensure a repeal of that Act, so far as it respects these Plantations.— From the first settlement of these Towns, or Plantations, the Inhabitants almost to a Man, have applied themselves to the Lumber trade to the neglect of Agriculture, their Business being wholly stagnated during the War, depopulation in a great measure took place; the few who tarried, and were fortunate enough to find a little piece of Ground fit for tillage; by unremitted industry, and applycation barely subsisted: — When the Peace took place, though our Mills were either distroyed, or much out of repair, yet the encouragement for making Lumber was so great, that the People were induced to run themselves deep in Debt to build, and repair their mills, but notwithstanding, had the Trade continued to have flourished, the People by this time would have been able, with the willing Hearts of good

Subjects, to have contributed something to the support of Government.— But the late stagnation, and fall of our Lumber, (ocasiond as we humbly conceive by our Ports being shut, which however Judicious the Acts may have been, and tending to the emolument of the Western part of this Com: Wealth sinks us down to that Poverty, and distress which we experienc'd in the War, and obliges us again to cultivate the Pine Wilderness for Bread.— Your Memorialists further beg your Honors would conceive, the distress of a People who from the uncultivation and natural infertility of their Soil are oblig'd to import almost every Article of consumption, and the only Staple of exportation stagnated. At the same time we cannot omit mentioning that our unsettled situation respecting the title of our Possessions in Lands, which has greatly retarded not only the settlement, but the improvements which otherways might have been made.— These inconveniences, may it please your Honors that the people of this Eastern Country labour under, also the enticeing Offers made, and encouragements given, to emigrate into Nova Scotia, by our Near Neighbours the Brittish, have already drain'd us of many of our young men, and we are Apprehensive that unless some different measures are taken by Government relative to the settlement of the Country, our numbers will still continue to decrease.— And your Memorialists wish further to represent, that as our Whole Trade, consists in the small Barter, between one Neighbour, and another, & possessing no Vessels to carry on any commerce with other parts, we are entirely destitute of any circulating Currency among us; therefore with respect to raising the present Tax, it is our humble Opinion, that was the whole Property of the Country put up at Auction, it would not raise a sufficient Sum to satisfy the demand — Although we feel the warmest attachment to the Government from which we receive protection and have the strongest desire to contribute

to its Support, as far as in us lays; yet under the Present circumstances, which we have here refer'd to, added to our Legal incapacity of representation we view ourselves entirely unable to comply with the present requisition of Government; Wherefore we Pray in behalf of our selves and Constituents that your Honors would take our Case into your most serious consideration, and relieve us in that way, and manner, which you in your known wisdom shall think most expedient — For further particulars we beg leave to refer your Honors, to Alexander Campbell Esq^{r} who will be the Barer of this Memorial and as in duty bound your Memorialists shall ever Pray —

Thomas Hill, Henry Dyer,
A. V. Campbell, Eli Forbes,
William Nickels, Theodore Jones
Joseph Wilson,
} Delegates from y^{e} Several Plantations

N^{o} 4 — 17th Aug^{t} 1786

In the House of Representatives Feb^{y} 15, 1787

Read & committed to the Committee of both Houses this day appointed on the Petition of the Town of Gorham

Sent up for concurrence

Artemas Ward Speaker

In Senate Feb^{y} 15, 1787 —

Read & concurred

Sam^{l} Phillips jun^{r} Presid^{t}

A List of the Polls and of the Estates, Real and Personal, of the several Proprietors and Inhabitants of the Town of Brownfield in the County of York taken pursuant to a Resolve of the General Court of the Commonwealth of Massachusetts passed in the Year of our Lord, one Thousand seven Hundred and Eighty-Seven, by the Subscribers, assessors of the said Town duly elected and sworn.

Persons Names	Polls rateable	Dwelling Houses	Barns	All other Building and Edifices of the value of 5 l. and upwards	Acres of Tillage of Land	Acres of English and Upland Mowing	Acres of Fresh-Meadow	Acres of Pasturage	Acres of unimproved Lands	Acres of Land unimproveable	Horses & Mares 3 years old & upwards	Oxen four years old and upwards	Neat cattle three years old	Neat cattle two years old	Neat cattle one year old	Cows four years old and upwards	Sheep & Goats 6 months old and upwards	Swine six months old & upwards—	Ounces of Silver Plate
Joseph Walker	2	1	1		4	6			65			2	4			1	2	5	
Supply Walker	1	1	1		5	2	2		111		1	2				1	3	2	
John Miller	1								100										
Dan[l] E: Cross	1															1			
Samuel Colby	1								2							2		2	12
Josh B: Osgood	1	1	1	1	10	10		15	1000		2	4	2	2		4	7	4	
Samuel Haywood	3	1	1		4	6			24							1		3	
Pearson Huntriss	1								94										
John Haley					3	3		27	11414	6000	2	4	2	8	5	4	7	8	
Henry Y: Brown	2	1	2	1	30	30	40		41				2		2	2		1	
Daniel Long	2	1			4		5	4				4				3		4	
Curtis Bean	2	1	1		4		20		800										
Benj[a] Jacobs								5	300										
William Frost		1						4	295										
Thomas Proctor									46										
Samuel Worth								3	50										
Rich[d] Kelly	2	1			3	3			44			2				2		3	
Amos Poor					3				297										
Widow Rogers	1	1				4			296		1	2	1	1	2	1	6		
James Osgood									300										
Wid[w] Sar[h] Sherburne	1	1			6	4			290			2				1	2	2	
John B: Miller											1					1		2	
James Miller	1				4	5		5	90							1	2	2	
Joseph Haywood	1	1																2	
James Haywood	1				3	11			86			2	2			3	4	3	
Willson Haywood	1	1	1									2				2		4	
John Stickney	1																		

N. B. A saw-mill destroyed by the Fresh

NOTE. A paper dated Bridgeton, Jan. 18, 1787, signed by John Peabody, Wm. Emerson, Phinehas Ingals, asking that execution be withdrawn & free accompanying petitioners from their taxes. Paper very much torn & illegible.

Memoranda.

35 Polls £5 .. 5 — loss 19 Dwelling houses, 8 Barns, 1 grist-mill £2 — D° 2 other buildings £5 value, 111½ acres tillage land — — 1 .. 13 — loss 104 D° english & upland mowing £10 . 3 — more, 72 D° meadow, 63 D° pasturage, 16721 D° unimprov[d] 6000 D° unimprovable £15 .. 7 .—, 8 horses 1 .. 4 — D°, 34 Oxen 4 .. 6 .. 4 D°, 20 Neat cattle 3 years old 2 .. 3 .. — D°, 14 D° 2 years, 1 .. 3 .. 11¾ D°, 10 D° 1 year — 3 . 7½ D°, 36 cows 4 year old — 17 .. 11, 32 sheep, 61 swine, 12 oz plate — 18 .. 9 Total £21 .. 6 .. 7¼

A List of the Polls and Estates of the Proprietors & Inhabitants of the Plantation of Brownfield continued.

Persons Names	N° Polls rateable	N° Polls not rateable supported by the town.	N° Polls not rateable, not supported by the town	N° Dwelling Houses	N° Shops separate from, or adjoining to other buildings	N° tan houses slaughter houses and other working houses	N° Distill & Sugar Houses	N° Rope walks	N° Port & pearl ash works	N° Ware houses	N° Barnes	N° Grist, Saw fulling & slitting mills	N° all other mills	N° Iron works & furnaces
James Kimball														
Lemuel Haywood	1			1										
Daniel Baston														
Jon[a] Plumer														
Sam Bickford	1													
John Watson	1			1										
Thomas Veazey	1			1										
Benj[a] Burbank	3			1										
Asa Osgood	1			1										
David Sage														
John Bucknell													1 Grist Mill	
Israel Burbank	1			1							8	1		2
	35			19										

| | | |

Piersontown

Taxes previous to 1781 Am°		511. 18. 0
d° Oct° 1781		351.. 5. 0
d° N° 1 1782	234..3..4	
d° N° 2 1782	234..3..4	468.. 6..8
d° N° 3 1783		368..12..8
d° N° 4 1784		163..18..4
d° N° 5 1786		292..10
		2156..10..8

Brownfield

Taxes previous to 1781		63..15..10
d° Oct° 1781		75..
d° N° 1 1782	50	
d° N° 2 "	50	100
d° N° 3 1783		63..17.. 7
d° N° 4 1784		35..
d° N° 5 1786		90..
		427..13.. 5

Treasury Office 21 June 1787 — The above is the amount of Taxes laid on the above Towns as appears by the Books

Attest Alex Hodgdon Treas^r

Executions in the hands of John Wait Esq^r

Sheriff of the County of Cumberland against the Town of Bridgetown Viz^t Arrears of Old Taxes 1779 & 1780 — £23..18..4

Beef Taxes £11..2..8 Total £35..1..0

Treasury Office 21 February 1787 for the Treas^r

A Hodgdon

Commonwealth of Massachusetts

In Senate 21 February 1787

Resolved that the plantations called Brownfield, and Francisboro, in the County of York; of Raymondston, Otisfield and Bridgeton in the County of Cumberland, and the plantations of Canaan, N° 1, N° 3, N° 4, N° 5, N° 6, and N° 22 in the County of Lincoln, be & they hereby are directed, to choose three meet persons as assessors in each of the said Plantations in the month of March or April next, who are hereby ordered, after having been sworn faithfully to discharge the trust hereby assigned them, to take a valuation of all the rateable estate of every person in their respective plantations, also the number of Polls agreably to the Schedule on which the last valuation was taken, and to require the same to be given on oath where they shall judge it necessary, which oath they are empowered to administer; and the same to return into the Secretary's Office on or before the last day of May next; in order that the General Court may be enabled to make such abatements as the circumstances of the plantations aforesaid, & the situation of the Commonwealth may require —

And it is further Resolved that the Sherrifs of the Counties of York & Cumberland, are hereby directed in the meantime to stay the executions, they severally have against the plantations of Raymondston, Brownfield & Bridgeton for taxes — And the Secretary is hereby directed, to send a copy of this resolve to each of the plantations named therein, together with a copy of the Schedule by which the last valuation was required to be returned —

Taxes due from Towns of Raymonston & Bridgeton Viz^{t}
Raymonston on Abstract N° 4 Arrears of Old Taxes 63..15..10

Beef tax 29..14..8 Gold & Silver tax 1780 — 14..8..0, New Emission tax — John Davis Collr 34..10..4, October 1781 tax specie John Davis, 125..0..0, Continental tax N° 1 — d° — 83..6..8 Continental tax N° 2 — d° — 83.6.8, State tax N° 3 — d° — 350 . 3 .. 4, d° — d° N° 4 — No Return 58 .. 6 .. 8 d° — d° — N° 5 — N° Return —97..10..10 Total 940..3..0, Class tax 1782 74.1.8 Total £1014..4..8

Bridgeton

Abstract N° 4 Arrears of Old Taxes 23.18.4 Gold & Silver tax 1780 — 5..8..0, Beef tax — 11..2..8, Class tax 1782 — 74.1.8, New Emission tax Asahel Foster 17..3..10, October 1781 tax specie d° 138..15..0, Continental N° 1 d° 92..10..0 Continental N° 2 — d° — 92..10..0, State — N° 3 — d° — 246..12..5 State — N° 4, no Return 64.15..0 State — N° 5 — no Return — 127..3..9 Total 894..0..8

Petition Inhbts. Town of Francisborough.

To the honerable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled Febr 1787

The Petition of the Inhabitants of the plantation of francisborough in County of York humbly shews that they leatly Received a warrant from the Treasurer of the Commonwealth for assessing the Said Plantation the Sum of one hundred and Twenty five pounds twelve shillings & six pence witch is qual to all the personal Estate in the Plantation the Number of Polls in Said Plantation is Twenty seven Most of whitch are very poor and unable to pay Taxes the first setelment was made about seven years ago and most of the other settlements have been made within three years last past

and sum of them within the last year there are only three Barns and six fraimed Houses in the plantation and but a very little Land Cleared for Tillage or mowing the Planttation is about thirty five miles from Navigation in short it is unposible for them to pay the Tax ordered to be assessed the Inhabitance have Reson to think if thair Circumstances had been known by the Legislature no Tax as yet would have been Laid upon them wharefour your Petitioners pray that they may be Exempted and Excused from paying Taxes for a Number of years to Come and until their Circumstances may be such as to Enable them to pay the same and as in Duty Bound will Ever pray and so forth.

Timothy Barrons,
Enoch Merrill,
Ebenezer Barker,
Noah Barker,
Samuel Harmon
[ ] Pendexter,
John Kissek,
Jn° Chadbourn,
Sam[l] Weymouth,
Joseph M Thompson,
William Chadbourn,
Abraham Barrns,
Benjamin his X mark Storer,
Joseph Allen,
Joseph Chadbourn,
gorge k er,
Benj[a] Hilton,
John Shute,
Willm fendersen,
Josiah Davis

In the House of Representatives Feb[ry] 16, 1787
Read & committed to the Committee appointed yesterday on a similar petition from the Town of Gorham
Sent up for concurrence
Artemas Ward Speaker

In Senate Feb[y] 19, 1787
Read & concurred
Sam[l] Phillips jun[r] Presid[t]

Commonwealth of Massachusetts

In the House of Representatives June 25th 1787.

On the petition of the Inhabitants of the Plantation of Brownfield, praying for an abatement of taxes laid on said plantation previous to the year 1786. Resolved, That the said plantation be held to pay the sum of ninety pounds only in discharge of the whole of the several taxes laid on said plantation previous to the said year 1786

Sent up for concurrence

I Warren Spkr

Petition of Joshua Lamb of New Canaan.

To the Honourable Members of the General Court for the State of Massachuset Bay.

The Petition of a Number of the inhabitants of the Plantation of New Canaan in the County of Lincoln Humbly sheweth

That in the time of the late War betwen Brittain[ ] the Collonies, Your Petitioners lived in Nova Scotia [ ] refuseing to take the Oaths to Government were obliged to depart the Province; accordingly, in the winter of seventeen hundred and sevnty seven some of Your Petitioners made their escape to the place where they Now are, and the others arived as soon as the peace was Made.

and being reduced to suffering sircumstancies Your Petitioners Humbly pray that Your Honours would Take it into Concideration and Grant them the Lands where they now are. And Your Petitioners as in duty bound shall ever pray &c

Joshua Lamb,	Martin Brooks,
Noah Miller,	Ephraim Miller,
David Gay,	James Joudrie

New Canaan, 27th February 1787—

Report of the Committee for selling Certain Strips or Gores of Land in the County of York.

Commonwealth of Massachusetts Feb^{y} 21, 1787 —

The Committee appointed March y^{e} 20, 1784 to sell certain Strips or Gores of Unappropriated Land belonging to this Commonwealth lying in the County of York, made Report on the 9th of November 1784 of their Sale of sundry Pieces of Land, the Proceeds of which amounting to £875.6.8 were paid into the Treasury, since which time they have sold several other Pieces, paid into the Treasury £134.14.11 and have herewith exhibited an Account of Sales.

One of the said Gores, described in the Plan committed to your Committee as containing a Quantity which they were directed to sell (in which are contained the Lands sold to Sam. Andrews & Jonathan Hamilton) have been found to fall short of the Quantity therein designated, but the exact Quantity cannot be fully ascertained untill the true Lines between the said Lands & those belonging to Shapleigh & Lebanon are determined. It is also apprehended that one other of the said Gores, according to the said Plan containing Fifteen Hundred & ninety Four Acres (Five Hundred & Forty of which your Committee have sold) will fall very considerably short of the full Quantity, and will probably render an actual Survey necessary.

Eleven Lots of Land adjoining to Fryebourg remain unsold. No offer has as yet been made for them —

Cotton Tufts, John Hill } Committee

In Senate Feb^{y} 28 — 1787 —

Read & sent down

Sam^{l} Phillips jun^{r} Presid^{t}

In the House of Represent^{s} Feb^{y} 28, 1787

Read & sent up

Artemas Ward Speaker

Report of Committee on Petition of Mons. Gregoire.

Commonwealth of Massachusetts Feb^{y} 1787

The Committee of both Houses appointed to examine the Claims of Mons^{r} De Gregoire in the Right of his Lady to the Island of Mount Desert and the Land upon the Coast opposite thereto as described in their pitition to the Legislature have attended to the subject with that assiduity which its importance requires, and having collected the foregoing state of facts beg leave to report That as the Evidence tending to establish those facts, & the operation of the foregoing Statement even when establish'd, involves several questions relative to the Law of the land as well as to the Law of Nations founded upon the Changes which the property has undergone (and upon divers foreign treaties — they think it expedient to consult the Judges of the Supreme Judicial Court upon the validity of the title, and accordingly recommend that their Opinion be requested without Delay

which is submitted

Joseph Hosmer p^{r} order

In Senate Feb^{y} 28. 1787

Read and accepted, & ordered, that the Clerk of the Senate furnish the Justices of the Supreme Judicial Court, with an attested Copy of this Report, and the papers referred to therein.

Sent down for concurrence

Sam^{l} Phillips jun^{r} Presid^{t}

In the House of Representatives Febr^{y} 28, 1787

Read & concurred Artemus Ward Speaker

In Senate March 5. 1787 Read again & ordered that the Opinion of the Attorney General be, & it hereby is required, upon the validity of the Title, claimed by Monsieur Gregoire & Lady, & the Clerk of the Senate is directed to furnish the

Attorney General, with an attested copy of the foregoing Report & the papers referred to therein —

Sent down for concurrence

Sam[l] Phillips jun[r] Presid[t]

In the House of Representatives March 5, 1787

Read & concurred

Artemas Ward Speaker

Petition of Joshua Bracket of Shapleigh

To the Honourobol Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled Feb[r] 1787 —

The Petition of Joshua Bracket of Shapleigh in the County of York in behalf of Said Town Humbly Sheweth that the Said Town of Shapleigh formerly a plantation was assessed by the town of Lebanon as an adjacent and in March 1786 by a Resolve on the petition of James Witherell Joshua Pray and Nathan Lord Collectors of Lebanon and John Woodman and others Inhabitants of Shapleigh aforesaid the said Collectors where abated for the taxes Due from the Inhabitants of Said town of Shapleigh the Sum of 383 : 12 : 4 and by the afores[d] Resolve the treasurer was Directed to Send his Warrant which he did to the assessors of said Shapleigh to assess the aforesaid Sum of 383 : 12 : 4 this town have not been Setled by more than five familys till within about Eight years your Honors Cannot Conceive the Hardships that we have and do still undergo in this new township which is aboute twenty five miles from any market for the Little Lumber which we Get to Support our Selves and familys on, when we tuck our Residence here the most of us was so poor that we Could not nor have not at this time been able to have any other Shelter than Little Hutts built of Round polls

and few Chimneys the Greatest part of our provisions and Clothing we are obliged to purchas with what Little Lumber we Can get to market we have ever and still are willing to do all in our power to Support Government as we have a heavy tax Laid on us the Last year our property obliges us to inform your Honours that it is not in our power to pay these taxes unles we are Striped of Real and personal Estate we therefore pray that your Honours would take our Distressed Circumstances into Consideration and abate us the tax that was Laid on us by Reason of the abatement to the Colectors of Lebanon afores[d] or Relive your Distressed petitioners in Such other way as your Honours in your Great wisdom may see fit and as in Duty Bound in the behalf of Said town will ever pray

Joshua Bracket

Shapleigh Jany[r] 29 1787

at a Legal Town meeting held in Shapleigh on the twenty Sixth Day of January 1787

voted that Joshua Bracket Should Prefer a petition to the General Court at their next Sessions in Behalf of Said Town of Shapleigh for abatment of taxes that was Laid on Said Town on account of abatment of James Withrell and others in March 1786

A true Coppy from the minits

Att[s] Joshua Bracket Town Clerk

Resolve on Petition of Joshua Brackett.

Commonwealth of Massachusetts

In the House of Representatives Feb[r] 1787

on the Petition of Joshua Bracket in Behalf of the town of Shapleigh praying for abatement of taxes for Reasons Set fourth in the Petition

Resolved that the Prayer thereof be so far Granted that the Treasurer of this Commonwealth be and he is hereby Directed to Credit Said town the Sum of one Hundred and Eighty three pounds twelve Shillings and four pence it being part of an abatement Granted to James Witherell and other Colectors of the town of Lebanon in March 1786 and Laid on the Said town of Shapleigh any Law or Resolve to the Contrary notwithstanding

Petition of Richard Jones & Others.

To the Honourable the Senate, and Gentlemen of the House of Representatives, in General Court Assembled —

The Humble Petition of Richard Jones, Michael Jones, and David Given, of Bristol, in the County of Lincoln, & State of Massachusetts Bay, Humbley Sheweth,— That, we ware Served, by Charles Sampson, of Waldoborough & others, and ware Accordingly Summon'd to attend, and Answer to the s^{d} Charles Sampson and others, at Waldoborough, on the second Tuesday of Sep^{t} Last, and we acordingly attended at the Above time & place, but, as the Court Did no bisness, only met & adjorned without Day, and we Expected to have attended at Pownalborough, where the Law Expressly points out on the First Tuesday in June Next and their have Answered, to the s^{d} Charles Sampson & others,— but instead of that,— to our Surprise, they Called the Case at Hallowell, in the present month of January & of Course we ware Called out by Default —

Therefore your petitioners Humbly prays your Honours, to permitt us to re-enter, the s^{d} Action, at Pownalborough,

in June Next, and that your Honours will be pleased to Order the Execution to be Stayed, and your petitioners as in Duty Bound, Shall ever Pray &c —

Richard Jones, David Given, Michael Jones

Bristol Jan^{y} 26, 1787

Lincoln Ss. Commonwealth of Massachusetts

To Joseph Smith of Messingers Island Mariner Richard Jones David Given Simon Elliot John Fitch Mark Jones, James Gall & Simon Poland Yeoman all of Bristol within our County of Lincoln Greeting.

We Command you that you appear at Our next Court of Common Pleas to be holden at Waldoborough, within and for Our County of Lincoln aforesaid, on the second Tuesday of September next Then and there to answer to Charles Samson of Waldoborough in said County Gentleman Phillip Ulmar of Dutchtrap Gen^{t} William Lormond Gen^{t} & Reuben Hall Marn both of Warren in a plea of the Case for next performing your promis as set forth in the Writ of Attachment

Which Plea the said Samson Ulmer Lormond & Hall have commenced against you, to be heard and tried at the said Court; and your Goods or Estate are attached to the Value of One Thousand Pounds, for Security to satisfy the Judgment which the said Plaintiff may recover upon the aforesaid Trial. Fail not of Appearance at your Peril. Witness William Lithgow, Esq; at Waldoborough, the 27th Day of January in the Year of our Lord One Thousand Seven Hundred and Eighty six

Jon^{a} Bowman Cler

Apportionment of Senators.

Commonwealth of Massachusetts

The committee of both houses appointed to examine whether the number of Senators chosen by the respective dis-

tricts being proportion to the public taxes paid by said districts agreably to the Constitution ask leave to report the following state of facts — That by the last valuation the County of Bristol are taxed £62 .. 8 .. 4¼ — £25, for each Senator leaves £12 .. 8 .. 4¼ for which they have one Senator —

That the County of Lincoln are taxed £43 .. 6 .. 6 — £25 for one Senator leaves £18 .. 6 .. 6, for which they have no Senator — but as a number of plantations in the County of Lincoln have petitioned this Court for abatements of the taxes assessed on the said plantations, the consideration of which is referred to the next General Court — The committee, therefore beg leave to suggest the propriety of referring the consideration of making any alteration of Senators in the Counties of Bristol & Lincoln to the next General Court —

In Senate March 2^{d} 1787 —

Read and accepted & Ordered that the Consideration of making an Alteration of the number of Senators to be chosen in the Districts of Bristol & Lincoln be refered to the next General Court —

Sent down for concurrence

Sam^{l} Phillips jun^{r} Presid^{t}

In the House of Representatives March 3^{d} 1787

Read & concurred.

Artemas Ward Speaker

Commonwealth of Massachusetts

In the House of Representatives Feb^{ry} 14, 1787

Ordered that M^{r} Thompson of Middleboro', M^{r} Williams of Deerfield & M^{r} Bullock with such as the Hon. Senate may join be a Committee to examine whether the number of

Senators chosen by the respective Districts within this Commonwealth, be in proportion to the public taxes paid by said Districts, agreeably to the Constitution, & report

Sent up for concurrence

Artemas Ward Speaker.—

In Senate Feb^{y} 14, 1787.—

Read and concurred, and Joseph Hosmer & Josiah Thacher Esq^{r} are joined

Sam^{l} Phillips jun^{r} Presid^{t}

	Surplussage	No.	Surplussage
Suffolk —	£149 .. 0 .. 9¼	5	£24 : 0 : 9¼
Essex	140 .. 10 .. 11¾	5	15 : 10 : 11¾
Middlesex	116 .. 12 .. 1¼	4	16 : 12 : 7¼
Hampshire	109 .. 1 .. 4½	4	9 : 1 : 4½
Plimouth	65 .. 6 .. 1	2	15 : 6 .. 1
Barnstable	23 .. 2 .. 9½	—	23 .. 2 .. 9½
Bristol	62 .. 8 .. 4¼	2	12 .. 8 .. 4¼
York —	46 .. 19 .. 8¾	1	21 .. 19 .. 8¾
Dukes County —	6 .. 10 .. 7½	0	13 8 5½
Nantucket —	6 .. 17 . 10		
Worcester —	138 .. 0 .. 0½	5	13 0 0½
Cumberland —	35 7 3¼	1	10 7 3¼
Lincoln —	43 6 6	1	18 6 6
Berkshire —	57 4 7	2	7 4 7
	£1000 .. 9 .. 0½		

Mount Desert plantation	£0 .. 15 .. 3
Plantation N° 1 East side of Penobscot river	6 .. 9
N° 2	7 .. 0½
N° 3	1 .. 2 .. 9¾

	N° 4	0 .. 12 .. 0½
	N° 5	0 .. 10 .. 4¾
	N° 6	0 .. 10 .. 4¾
Plantation	N° 1 East side of Union River	0 .. 12 .. 4¾
	N° 2	0 .. 11 .. 3¾
	N° 3	0 .. 8 .. 1¼
	N° 4	0 .. 4 .. 10
	N° 5	0 .. 10 .. 1¾
	N° 6	0 .. 7 .. 10½
Plantation	N° 22	0 .. 4 .. 1

Plantation on the west side of Penobscot river from Bellfast so far up the river as to include the Widow Wheeler's Mills — 0 .. 10 .. 7

Plantation on the west side of the said river from the Widow Wheeler's Mills up the river — 0 .. 8 .. 10¾ — Deer Island plantation in penobscot Bay — 1 .. 2 .. 1½ Fox Islands plantation — 0 .. 12 .. 9½ Penobscot long Island 0 .. 7 .. 10¼

True Copy from the Valuation Book

Attest John Avery Secretary

Extracts from the valuation Book March 3d 1787

Memorial of Representatives from the Eastern Counties.

To the Honourable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled March 1787

the memorial of the Representatives of Several towns in the Counties of York Cumberland and Lincoln in behalf of the towns in those Counties

Humbly Shews that in the Course of Last Summer those Counties by the Dispensation of providence were visited with

a great Drought which has Continued ever Since have Suffered, in Consequence of which they in many Respects more especially in their Lumber trade, that the Inhabitants of those Counties almost intirely depend upon Lumber more especially Boards for the purpose of procuring wherwith all to pay there taxes which cannot be procured untill there is a Sufficient plenty of water for that purpose and after Lumber is procured a Reasonable time is necessary for the purpose of transporting the Same to Boston and other markets within the Commonwealth, that it is evident that it is altogether out of the power of the Said Inhabitants to pay any part of their Taxes at so early a period as the first of April next and it will be impossible for those Inhabitants to make any considerable payments of their taxes untill Some time in the next Summer that an attempt to enforce the payment of taxes immediately will tend to throw the Said Inhabitants into a State of Disparation and at the Same time to induce them to Conclude that a proper attention is not paid to their Circumstances —

Wherefore your memorialists pray the time for paying the taxes granted in March last may be postpon^{d} to Some future period which they wish may be no longer than is indispensably necessary but at the Same time So Long as that it may be within the Limits of possibility for the Said Inhabitants to discharge their Said tax or grant the Said Inhabitants Relief in Such other way as the Court in their Wisdom Shall think fit and your memorialists as in Duty bound will ever pray

Boston March 6th 1787

John Swett,
Noah M Littlefield,
John Hill,
Caleb Emery,
Moses Ames,
Dennis Getchel
Reuben Colburn,
Joseph Noyes,

Joseph Farnham,
David Mitchell,
David Silvester,
D Cony,
Sam[l] Hamden,
Zach[s] Beal,
Fra Winter.

Treasurer's Acc't of Fines Laid on Towns.

Commonwealth of Massachusetts

In the House of Representatives March 7[th] 1787

Ordered that the several Towns hereafter named be fined in a Sum set against their Names respectively for their neglect in not chusing Representatives to Represent them in the General Court for the year past agreably to the Constitution. Suffolk, Needham, Fifteen Pounds, Milton, Nineteen Pounds, Medway Fourteen pounds Eight shillings, Chelsea, Ten pounds ten shillings, Medfield Twelve pounds, Essex, Middleton, Ten pounds seventeen shillings, Middlesex, Billerica, Seventeen pounds ten shillings, Sherburn, Twelve pounds ten shillings, Westford, Fifteen pounds sixteen shillings, Stow & Boxboro Fifteen pounds fifteen shillings, Groton Twenty four pounds ten shillings, Pepperil, Twelve pounds fifteen shillings, Lincoln Ten pounds eleven shillings, Tewksbury Ten pounds Twelve shillings Acton & Carlisle both Seventeen pounds ten shillings, Dracut Twelve pounds ten shillings, Holliston Thirteen pounds five shillings, Dunstable Ten pounds fifteen shillings, Lyttleton Eleven pounds Ten shillings Hampshire Amherst thirteen pounds fifteen shillings Pelham Ten pounds, Belchartown thirteen pounds fifteen shillings, Barnstable, Eastham Ten pounds Falmouth Twelve pounds fifteen shillings, Bristol Easton Thirteen pounds, York Arundell Fourteen pounds, Worcester Charlton Eighteen pounds fifteen shillings Spencer Seventeen pounds

Rutland Eighteen pounds, Lunenburgh Sixteen pounds, Fitchburgh, Eleven pound two shillings, Harvard Sixteen pounds Ten shillings, Dudley Twelve pounds, Upton Ten pounds two shillings, Templeton fourteen pounds ten shillings Athol Ten pounds thirteen shillings, Milford twelve pounds three shillings, Boston Twelve pounds three shillings, Cumberland Cape Elizabeth, Eleven pounds two shillings Berkshire Tyringham Eleven pounds ten shillings

And that the Treasurer be & he hereby is impowered & Directed to insert said sums in his Warrant in addition to the State Tax next to be assessed upon the afore said Towns for the Reasons afore said

To the Honorable the Senate of the Commonwealth Massachusetts

May it please your Honors

In Obedience to your order of the 19th Curr^{t} I return the State of the Taxes therein mentioned as due from the County of Hampshire. These Taxes being generally in Executions the State of them depends on the returns of the Sheriffs. Col^{o} Porter has made his, severall of the other Sheriffs have made and are making theirs, as soon as they are Compleated shall lay them before your Honors in Counties & when compleated shall send a general State of them.

with the greatest Respect

I am Your Honors Obedient Servant

Alex Hodgdon Treas^{r}

Petition of Monsieur Gregoire.

Commonwealth of Massachusetts

To the Hon^{l} Senate, & Hon^{l} House of Representatives in General Court assembled at Boston March 1787 —

The Remonstrance of Monsieur and Madam Gregoire humbly shews:—

That whereas their Honors the Justices of the Supreme Judicial Court have declined giving their opinion on the validity of your Petitioners title to certain Lands claimed by them as the same may effect individual possessors not parties to the application. And whereas your Petitioners circumstances will not enable them to prosecute their Claim at Common Law, where they could have little hopes of success under a Trial by a Jury of the Vicinity, composed probably of the very persons whose possessions would be effected by the decision; Your Petitioners would therefore humbly propose to this Hon[l] Court an accommodation of their Claim aforesaid on the terms and Conditions following — viz[t]

That the said Monsieur & Madam Gregoire will on their part grant remise & release to the Commonwealth or their Grantees, all such parts of the Lands, lying within their Grant aforesaid, made to them by his most Christian Majesty Louis 14[th] as shall have heretofore at any time have been granted, ceded, bargained, sold or released by the Government, to any person or persons whatever, & which are not now revested in the Government by confiscation, forfeiture or otherwise & not remaining in them; And will further remise, release and quit claim to all the other individual possessors of said Lands, such other parts of said Lands as are by them actually improved, and which in the opinion of the Committee of this Hon[l] Court for the Sale of Eastern Lands ought to be quieted to them — On Condition that this Court will grant, release, convey & confirm to your Petitioners all the Lands lying within their Claim aforesaid, excepting such parts as have been heretofore granted or sold by the Government & not revested & remaining in them,— and excepting also such other parts as are in the actual improvement of any Individuals whatsoever & which the Committee for the

Sale of Eastern Lands, shall think ought to be quieted to the present Occupants, & released by your Petitioners

As this mode of settlement can effect only the Commonwealth & Your Petitioners, who are the sole parties thereto, & the Claims of Individuals will be strengthened & confirmed thereby, they flatter themselves, that this Hon^{l} Court will most readily accede to this proposition and render the best possible Justice to Your Petitioners

& they as in Duty bound shall ever pray &c

De Gregoire degregoire nee de Lamotte Cadillac

In Senate March 6, 1787

Read & committed to Joseph Hosmer Esq^{r} with such as the Hon^{ble} House may join to consider & report

Sent down for concurrence

Sam^{l} Phillips jun^{r} Presid^{t}

In the House of Representatives March 6, 1787

Read and concurred & M^{r} Breed & M^{r} Fowler are joined

Artemas Ward Speaker.

Report on Petition of the Gregoire Claim.

Commonwealth of Massachusetts March 7th 1787.

The Committee of Both Houses to whom was committed the Petition of Monsieur & Madam Gregoire, tendering an Accommodation of their Claim to Certain Eastern Lands beg leave to report thereon the following Resolve — viz^{t}

Whereas Monsieur & Madam Gregoire, as she is grand Daughter, & immediate Heir at Law of the late Monsieur De La Motte Cadillac, late of a place called DeTroit have been at great Expense & Trouble in coming from France to this Country to prosecute their Claim to a Tract of Land situate

& being in the County of Lincoln within this Commonwealth, and once granted to said De La Motte Cadillac, by his late most Christian Majesty Louis the XIVth And Whereas this Claim aforesaid to said Lands, has been countenanced as well by the most eminent American Characters at foreign Courts, as by the first Law Characters in France; And Whereas it is essential to the best Interest & Happiness of this Country, to preserve entire the Union & good Understanding, subsisting between the Subjects of our late Great & generous Ally, the King of France, and our own Citizens, and to cement that Union by every Act of Generosity, & unequivocal Justice, And Whereas said Monsieur & Madam Gregoire have agreed to remise & release all such of said Lands as have been granted or ceded by this Government, & not now remaining in them, and to quiet all such possessors of said Lands, as the Committee for the Sale of Eastern Lands, shall think it necessary & expedient to be quieted: It is therefore Resolved that the said Committee for the Sale of Eastern Lands be, & they hereby are, authorized & impowered to make & execute, in behalf of this Commonwealth, a good & sufficient Deed in fee simple to said Monsieur & Madam Gregoire to hold to them their Heirs and Assigns forever of all the Lands lying within the boundaries of their Grant aforesaid, made to them by his said most Christian Majesty Louis 14th, excepting and reserving thereon all such Lands, lying within the Tract aforesaid, as shall have at any time heretofore been granted ceded, bargained or sold by the Government of Massachusetts & which are not now vested or revested in them; and also excepting thereout all such other Lands as are in the actual improvement & Possession of any Individuals, & which in the Opinion of said Committee ought to be quieted to the present Occupants. On Condition however that upon the Execution & Delivery of said Deed by said Committee to said Monsieur & Madam Gregoire they the said Monsieur &

Madam Gregoire shall and will on their part execute and Deliver to said Committee good & sufficient Deeds of Release to this Commonwealth, or to the present Occupants or Grantees under the Commonwealth, of all such of said Lands as have heretofore been granted ceded bargained or sold by the Government of Massachusetts, & are not now vested or revested in them, & of all such other parts of said Lands, as are now in the actual Improvement of any Individuals whatsoever, which in the Opinion of said Committee ought in Justice or expediency to be quieted to the present Possessors—

The said Opinion of said Committee in Ascertaining the Individuals, whom they think ought to be so quieted, to be given to said Monsieur and Madam Gregoire, as soon as may be, with the Number of Acres, which are to be released to each Individual, and a Duplicate thereof to be lodged in the Secretary's office

In Senate March 8th 1787

Read & not accepted

Sent down for concurrence

Saml Phillips junr Presidt

Petition of Inhabitants of Gouldsborough.

Commonwealth of Massachusetts

In the House of Representatives March 7, 1787.

On the petition of a number of the proprietors and inhabitants of the township of Gouldsborough or Number three, on the East side of Union River in the County of Lincoln, praying to be incorporated into a Town —

Order'd that the petitioners notify the Inhabitants & proprietors of the said Township by leaving an attested copy of their petition & this Order thereon with the Clerk of said

Gouldsborough, at least thirty days before the third Wednesday of the next siting of the General Court, then to shew cause if any they have, why the prayer of said petition shall not be granted.—

Sent up for concurrence

Artemas Ward Speaker

In Senate March 10th 1787 —

Read and concurred —

Saml Phillips junr Presidt

To the Honble Legislative Body of the Common Wealth of Massachusetts,

The Pettition of the Proprietors and Inhabitants of the Township of Gouldsborough, or Number Three on the East Side of Union River in the County of Lincoln Humbly prays. That they may be Incorporated into a Town by the Name of Gouldsborough, and your Pettitioners as in Duty bound will ever pray.

Nathan Jones,
William Shaw,
Nathaniel Allen,
Zaccheus Shed,
Daniel Wright,
Joseph Ritchardson,
Edward White,
James Noonan,
Clement firnelld,
Thomas Galtail,
Abijah Cole,
John his X mark McDaniel,
Samuel Gates,
Tobias Clark,
Benjamin Shaw,
Nathl Shaw,
Eli Forbes,
Thomas Hill,
John Walker,
Dimond Sergant,
Thos Bacon,
Nathan Jones Junr,
Abijah Jones,
Robert Hughes,
Jeames Speilen,
Joseph Grammet,
John Guptil Junr
William Seageenin,
John Bickmore Junr
William Sargent,
Bngman Sargant,
John Yeats

Petition of Inhabitants of Gouldsborough.

To the Honorable Legislative Body of the Common Wealth of Massachusetts.

The Petition of the Free-holders, Inhabitants of the Township of Gouldsborough or Number three on the East side of Union River, in the County of Lincoln —

Humbly Shews —

That whereas there was a Petition for Incorporateing this Township sent to the General Court, a Copy of which we have Receiv'd with an order of the Court thereon, to shew cause if any we have why this Township Shall not be Incorporated; Said order of Court has been this day acted upon at a Legal Town-Meeting, and we beg leave to shew the following Reasons why this Township Shall not be Incorporated. Viz[t]

That there is but Twenty seven Settled Familys within the Bounds of this Township, and the greater part of them so poor, that it is with extreme Difficulty they can make a bare Existence the Year Round, Therefore, unable to pay taxes; and as to the former Petition, that but very few of the proper settlers of this Township had any knowledge of it until after it was put in execution, and that the greater part of the Signers of said Petition are single men, some of which are no way likely to settle here, some not of Lawful Age, and some of their Names has never been known to have lived here; the Signing of said Petition having been carried on without the Consideration and Regulation of a Town Meeting.

The Petitioners beg leave to inform that they have not Receiv'd the order of Court untill the Seventh of May Instant.

The Petitioners beg leave to add that the foregoing is a True Representation, and humbly Relys on the Virtue of our Legislature, that they will consider our Inability & Post-

pone our Incorporation untill better fitted for it, and we as in Duty bound will ever pray —

Dated at Gouldsborough 21st May 1787.

James Noonan,
Benjamin Godfrey,
Samuel Libby,
Thomas Hill,
Jonathan Tracy junr,
Joel Moore
Asa Tracy,
H S Shaw,
his
John X McDaniel,
mark
Clement finnelld,
Samuel Joy,
Phineas Whitten,
Jonathan Tracy junr,
John Gubleail,
Jesse Perry,
Benjamin Ash,
Noah Young,
John Gubteail Junr,
Joseph Newman,
John Bickmore Junr,
William Sargent,
Benja Alline

Order for Treasurer to pay Committee on Eastern Lands.

Commonwealth of Massachusetts

In Senate May 3, 1787

Ordered that the Treasurer be & he is hereby directed to pay to the Committee on the Subject of unappropriated lands in the County of Lincoln, from tax N° 5, such sums as are necessary to enable them to pay Surveyors & Chainmen for services performed in that Country, out of the sum of three hundred pounds, which by a Resolve of the Genl Court of the 24th of March 1786, was directed to be paid to them for the purposes aforesaid,— and that the said Committee be allowed to charge Interest for the money they have hired to enable

them the more advantageously to prosecute the business aforesaid —

Sent down for concurrence

Sam[l] Phillips j[r] Presid[t]

In the House of Representatives May 3[d] 1787

Read and concurred

Artemas Ward Speaker

Instructions to the Deputies of Freetown.

We the Subscribers Being Chosen by the Town of Freetown in A Legal Town Meeting to Give instructions to the Deputies Chosen to Represent Said Town in the Great and General Cort are as foloweth firstley that they use there Influence to Recall General Lincoln and Discharge the Troops under his Command from the Service of this Commonwealth. Secondly to pass an act of indemnity to all persons Deemed in Rebelion against this Commonwealth; thirdly to Remove the General Cort out of Boston; fourthly to Abolish the Cort of Common please and General Session; fifthly to Substitute Some other Measures in the Several Towns for Transacting there Business; Sixthley that the probate Business may be Done by the Selectmen of Each Respective towns; Seventhly to Authorize the town Clark of Each Respective Town to Record all Deeds and Conveyances; Eightly that the Act for A bounty on Oyl be repeald; Ninthly to give No Grants to Cambridge College Neither to Government officers or any other person without first Consulting their Constituents — and have their Voice in it; tenthley to Make Strct Enquirey in the Measures for the first forming the pernobskut Expodition and to know Whether this State is to pay the Whole Charge or Whether the United States are to pay their propor-

tion; Eleventhly to Make A paper Currency to pay & Redeem all the State Securities at the price they are Selling for in Silver and to pay all Taxes and private Contracts Equil to Silver and Gold; twelthly to Disqualify the high Sheriffs of Each County from — Deputising any person under them and for the Cort to Authorize the Constables of Each Town to do the business of the Deputy Sheriff

W^m^ Winslow, Abner Winslow,
Tho^s^ White, Darius Chase
Joseph Read,
Freetown May y^e^ 14^th^ 1787

Thease Instructions was Excepted by the town of Freetown
Philip Hathaway jun^r^ } Town Clerk

Petition of Town of Pownalborough.

Commonwealth of Massachusetts } To the Whole Court

The Petition of the Selectmen of the Town of Pownalborough in behalf of said Town Humbly Sheweth that Jonathan Spafford one of the Constables of said Town of Pownalborough for the year 1786 he having been sick almost ever since the bills was Committed to him, therefore hath not Collected but a small Part of his tax which Lays the Town Under Great Disadvantage — we therefore in behalf of said Town Humbly Pray your Honors that the Town May have Liberty to Chuse a Collector in his Room and stead to finish and Compleat his Collection and that a further time may be allowed for the Payment of the Same tax and as in Duty bound will ever Pray

Moses Carleton, David Silverton }
Selectmen for Pownalboro

Pownalborough May 20^th^ 1787

Respecting Fishery in three Eastern Counties.

Commonwealth of Massachusetts } In Senate June 21 1787

The Joint Comittee appointed to Consider of Means necessary to be taken to prevent the Destruction of Salmon Shad and Alewives in the Three eastern Counties and to take into Consideration the subject of the Fishery in other parts of the Common Wealth at large & report what may be proper to be done thereon.—Ask leave to report it as their opinion that the subject of the Fishery is so various in the Several Different parts of this Common Wealth that no General System can be adopted which would answer the purpose for the Whole. A And therefore that any Person or Persons living in the vicinity of Rivers or Streams where ships have been wont to pass have Liberty to bring in a Bill to regulate the passing and catching the fish that Pass up Such Rivers and Streams B

signed Josiah Thatcher p^r^ Order

In Senate June 25, 1787—

Read & accepted with an amendment at A

Sent down for concurrence

S Adams Presid^t^

A dele from A to B—

In the House of Representatives June 25^th^ 1787

Read and concurred

I Warren Spk^r^

Commonwealth of Massachusetts }

In Senate June 5^th^ 1787—

Ordered that Josiah Thacher, David Smead and Isaac Stearns Esq^r^ with such as the Hon^ble^ House may join, be a Committee to consider of measures necessary to be taken, to prevent the destruction of Salmon Shad & Alewives, in the three Eastern Counties, and for regulating the catching of Fish in the same, and the said Committee are instructed to

take into consideration the subject of the Fishery in other parts of the Commonwealth at large, and report what may be proper to be done thereon —

Sent down for concurrence

S Adams Presid^{t}

In the House of Representatives June 5, 1787

Read and concurred & M^{r} Smith of Belchertown, M^{r} Sylvester, M^{r} Lyman of Springfield, & M^{r} Osgood of Haverhill are joined

I Warren Spk^{r}

Petition from the Town of Berwick.

Commonwealth of Massachusetts

To the Honourable House of Representatives now Sitting in Boston

The memorial of the Selectmen of the town of Berwick in the County of York in behalf of said town Humbly Shews —

That this town from its being first Incorporated into a town which is more then sixty years has never neglected Choosing a Representative to Serve in the General Court in any one year untill the present: And Least it should be construed as a neglect of the town in not choosing one the present year — we think it our Duty to give a true Statement of the matter. The Selectmen of this town for the last year did not call the annual meeting for the choice of town officers to be held till the first Monday of Aprill, the day appointed by the Constitution for voting for a Govourner and Senators, It has been the usual practise of this town to Chuse five Selectmen and they to do the business of assessors, but at this meeting the town altered that mode and chose there Selectmen and three assessors; and after Choosing town officers the meeting was adjourned to the fourteenth day of May in

order to fill up any vacanceys that might happen in the town offices Declining Serving and Supposed it might be a proper time to have the meeting Called for the Choice of a Representatives, but two out of three that were Chosen Selectmen Declined Serving, one accepted and took the oath of alegiance agreable to the late Resolve of the General Court then a Doubt arose wither one having taken the oath did not so far Superceed the Last years Selectmen, as that they were not authorized to call and preside in the meeting; The one who had Quallified himself thought he was not authorized to Call Said meeting; On the adjournment of the meeting the vacances were filled up of persons not present, and before they were Quallified to act, it was too Late to Call a meeting for the Choice of a Representative agreable to the Constitution, and thus it is the misfortune of the Town to be without a Representative the present year which we Request having thus Stated the matter we flatter ourselves that no Imputation of Blame will fall upon the town or any Design in not Sending or in the officers

Wherefore we pray your Honours will not Amorce the town with any fine for chusing a Representative the present year

as in Duty Bound will ever pray

Berwick June 2^{d} 1787

Joshua Emery,
Tho^{s} Hodsdon J^{r},
Humphrey Charbourn } Selectmen of Berwick

Action on Petition of Ebenezer Owen.

Commonwealth of Massachusetts

The Committee of Both Houses to whome was committed the Petition of Ebenezar Owen, togeather with the answer

thereto, and Papers accompanying, hear the Parties and report, have attended the Service assigned them, and are Unanimously of Opinion, that the Petitioner have Leave to withdraw his Petition which is submitted

Joseph Hosmer p^r^ Order

In Senate June 16^th^ 1787 —

Read and accepted, & ordered that the Petitioner have leave to withdraw his Petition accordingly —

Sent down for concurrence

S Adams Presid^t^

In the House of Representatives June 18, 1787

Read & concurred

I Warren Spk^r^

Commonwealth of Massachusetts

In the House of Representatives Feb^y^ 9^th^ 1787

On the petition of Ebenezer Owen praying that the Judge of Probate for the County of Cumberland may be impowered to grant him an appeal from the Sentence of the said Judge for reason in said petition set forth —

Ordered that the Petitioner serve Stephen Hall Esq^r^ and M^r^ Elisha Turner, with a copy of his petition and this order fourteen days before the next Sitting of the General Court that they may appear on the third Wednesday of the sitting thereof, and shew cause (if any they have) why the prayer of the Petitioner should not be granted —

Sent up for concurrence

Artemas Ward Speaker

In Senate Feb^y^ 16, 1787

Read & concurred

S Phillips j^r^ Presid^t^

Petition of Inhabitants of Islands in Penobscot Bay.

To the Honourable Senate & House of Representatives of the Commonwealth of Massachusetts in General Court assembled

The Petition & Memorial of the Subscribers Inhabitants of and living on Certain Islands Situated in Penobscot bay in County of Lincoln, called and known by the following names Viz^{t} Long Island, Seven hundred Acre Island, Ensign Island, little long Island, Lime Island, Lazdels Island, Moose Island, Saddle Island & Western Mark Island.

Humbly Sheweth, That there is Settled on these Island near Sixty families, who labour under many & great difficulties, from which an Act of Incorporation would in a great measure relieve us, as in our present State we are not able to Support Civil & Religious order as we ought — Therefore we pray to be Incorporated into a Town with all the privilidges that other Towns in this Commonwealth of like Number of Inhabitants enjoy.— We Humbly pray that your Honours would take our present disagreable State into your wise Consideration, and Incorporate us into a Town by the name of Winchester —

Your Petitioners as in duty bound ever pray

William Pendelton
Shubael Williams,
Noah Dodge,
Job Pendelton,
William Philbrook,
Joseph Philbrook,
William Griffith,
Thomas Pendleton,
Peter Comb,
Thomas Eames,
Tabe Eames,
Samuel Pendleton,
Jona Pendleton,
Godfree Trim,
Joshua Pendleton,
Winx Grimes,
George Miner
Samuel Williams
Amos Williams,
John Gilkey,
Charles Thomas,
Thom Gilkey,
Joseph Boardman,
Jeremiah Hatch,
Gideon Pendleton;

Draft Bill to incorporate certain Islands in Penobscot Bay.

Commonwealth of Massachusetts
In the Year of Our Lord One thousand seven hundred and eighty seven

An Act for incorporating certain Islands in Penobscot Bay, in the County of Lincoln, to wit. Long Island, Seven hundred Acre Isleand, Ensign Isleand, little Long Isleand, Lime Isleand, Lazdell Isleand, Moose Isleand, Saddle Island and Western Mark Island, into a Town by the name of

Whereas the Inhabitants of the said Isleands labour under many inconveniences for want of Incorporation, and have petitioned this Court, that they may be incorporated, and the same appearing reasonable.

Be it therefore Enacted by the Senate and House of Representatives in General Court assembled, and by the authourity of the same, that all the Lands included in the Isleands scituate, lying and being in the Bay of Penobscot, known by the name of Long Isleand, seven hundred acre Isleand, Ensign Isleand, Little Long Isleand, Lime Isleand, Lazdels Isleand, Moose Isleand, Saddle Isleand, and Western Mark Isleand, with all the Inhabitants settled thereon be, and hereby are incorporated into a Town by the name of
and the said Town is hereby invested with all the powers, previleges and immunities, which Towns in this Commonwealth are by law, entitled to.

And be it further Enacted by the authority aforesaid that
Esquire be, and he is hereby empowered,
to issue his Warrant to some principal Inhabitant of the said Town of to warn the Inhabitants thereof,
to assemble at such time and place in the said town of
as by the said Warrant shall be appointed, to choose all such officers as Towns, by Law are entitled to choose in the

months of March or April Annually, and the said Inhabitants are hereby empowered to choose such Officers accordingly.

Provided always, that nothing in this act shall in any manner be so construed as to effect the right of soil in the Islands aforesaid

Commonwealth of Massachusetts }

In the House of Representatives June 1787

On the petition of William Pendleton & other Inhabitants of certain Islands in Penobscot Bay praying to be incorporated into a Town

Ordered that the Petitioners notify the Proprietors and others interested in the said Islands to appear on the second Wednesday of the next Setting of the General Court, and shew cause, if any they have, why the prayer of the said petition should not be granted, by publishing an attested copy of the said petition & this order thereon three weeks successively previous to the said Wednesday, in the Independant Chronicle

Petition for grant Indian lands.

Common Wealth of Massachusetts, to the Hon^{ble} Senate and house of Representatives in General Court assembled,

The Petition of the Subscribers humbly Shews that whereas a large Territory of land lying to the west of Hudsons River belongs to this Common Wealth, so far as respects the purchaseing of the Soil of the Native Indians and — the settlement of the same, we therefore your Petitioners humbly pray that your Honours, would be pleased to Grant unto your Petitioners the right of Preemtion of the Soil from the

Native Indians and settlement, of a Certain Tract or Parcel of Said lands lying on a branch of the Sisquehannar River Called by the indians Shemong, begining at the meridian Line agreed upon by the State of New York and this Common Wealth, as it Extends North from the North line of the State of Pennsylvania on both sides the said branch or river Shemong and extending to the westward Eighteen Miles including two hundred and sixteen Square miles, your Petitioners being willing to Comply with such Terms as your Honours in your wisdom shall think Just and Reasonable: as in Duty bound Shall Ever Pray:

R: Frankling, Luther Danielson,
Abner Mighill, Aaron Mighill,
Elijah Webber, Reuben Lilley;
June 20th 1787

Petition of Isaac Winslow 1st & 2d against incorporating Winslow or Long Island.

To the Honorable the Senate and the Honorable the House of Representatives of the Commonwealth of Massachusetts —

The petition of Isaac Winslow (Executor of the last will of Isaac Winslow Esqr deceasd) & Isaac Winslow ye second (one of the heirs of said Isaac deceas'd) and for all said heirs humbly sheweth that your petitioners have just by accident heard of leave being given to bring in a bill for incorporating Winslow's or Long Island (the property of the heirs of said Isaac aforesaid) and some smaller Islands on Penobscot Bay — Your petitioners and those they represent apprehending

they will be injured by the passing said Bill humbly pray that they may be indulg'd with being heard previous thereto and they as in duty bound will ever pray &c

Isaac Winslow, Isaac Winslow 2d

Boston June 21st 1787 —

Petition of Alexr Barr of Portland.

To the Hon^ble Senate and House of Representatives of the Commonwealth of Massachusetts

Robert Barr and Alexander Barr of Portland in the County of Cumberland Humbly Shews —

That by a Resolve of the Hon^ble Court passed the 16th day of November last past, there was granted to your petitioners the sum of two hundred pounds to enable them to compleat certain Machines for the spinning &c of wool, then making by orders of the General Court — That by one other Resolve passed the 2d of May last the account of the expenditures of that sum was laid before the Court and allowed — That upon their return to said Portland viz upon the fourth day of May aforesaid they received a Due bill from the Treasurer General on John Waite Esqr Sheriff of the County of Cumberland for the sum of one hundred and twenty one pounds 7/; which bill they presented to the said Sheriff on their arrival here, who informed your petitioners he was not able to pay the same. And your petitioners are unable to raise the money on said bill unless they dispose of the same at a very great discount; the sum arising therefrom should sell said bill scarcely will amount to the money they advanced while employed in working on said Machines, much less will it be equal to common wages, or in any degree answer the intentions of the General Court liberally to reward them for

"their ingenuity" — They therefore pray your Honours to take their case into your consideration, and to exchange said order from N° 2 to N° 5 or to act thereon as the Court in their wisdom & generosity may think expedient. And as in Duty bound will ever pray —

Alexander Barr for My Self and Brother

Portland June 23^{d} 1787.

Resolve on the Petition of Robert & Alex. Barr.

Commonwealth of Massachusetts

In the House of Representatives July 6th 1787

On the Petition of Robert & Alexander Barr Praying for an exchange of Orders — Resolved

That the prayer of the Petition be granted and that the Treasurer be & he hereby is directed to receive of the said Robert & Alexander Barr an Order given by the Late Treasurer on John Wait Esq^{r} Sheriff of the County of Cumberland of the sum of One hundred twenty one pounds & seven shillings and pay them the same sum out of the Specie part of Tax N° five.

Petition Portland Convention.

To the Honourable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled.

The Petition of the Inhabitants of the Towns and Plantations of the Counties of York, Cumberland, and Lincoln, by their Delegates, met in Convention, at Portland the thirty first day of January, 1787 humbly sheweth

That the Inhabitants of said Counties previous to the late Revolution, considered themselves a part of the Government of Massachusetts, and at the formation of the present Constitution they either approved of, or submitted to the same, and have cheerfully joyned in support of Government and have paid due obedience to the Laws thereof, and at the present time they feel, most sensibly, the difficulties in common to the various parts of the Commonwealth, and are ready to exert themselves to the utmost of their power to remove them by paying their taxes and supporting good order and the Laws of the Government; but when they take a View of the Political disadvantages they labour under, peculiar to their local situation, being separated from the other part of the Government by the intervention of another State, as well as their great distance from the seat of Government, they look upon it a duty they owe themselves and their brethren in the other part of the State, and to the United States in general, in a peaceful and dutiful manner, and agreeably to the Constitution, to lay them before the Honourable Court, and request that they would relinquish all right of jurisdiction over said Counties, and consent that they may be formed into a seperate Government, as they apprehend this the only adequate remedy to the difficulties complained of.

And while they are taking this peaceful measure to obtain a redress of their great political evils, by asking for a separation from the other part of the Commonwealth, they do not entertain an idea of throwing off the weight of the publick debt, at this time laying upon the Government at large, or to prevent the other part of the Commonwealth from having their just proportion of the unappropriated lands; but like friends and brethren most ardently wish to have all matters adjusted upon the broadest basis of equity and fair dealing. Therefore your Petitioners humbly pray that your Honours would take their circumstances into your Wise considera-

tion, and adopt such measures as you in your wisdom may think fit; and they, as in duty bound will ever pray.

In behalf, & by order of the Convention

W^m^ Gorham Presid^t^

In Senate June 29^th^ 1787.

Read & committed to Tho^s^ Durfee, Joseph B. Varnum & Nathan Mitchell Esq^rs^ with such as the Hon^ble^ House may join, to consider & report

Sent down for concurrence

S Adams Presid^t^

In the House of Representatives March 15, 1788

Read and concurred and M^r^ Holmes, Mr Bowdoin M^r^ Bishop & M^r^ Grout are joined

I Warren Spk^r^

Petition of Town of Machias.

To the Honble Senate and House of Representatives of the Commonwealth of Massachusetts

The Petition of the Town of Machias Humbly Sheweth

That the General Court in March 1786 Taxed all the settlements in the Eastern parts of this Commonwealth among which this Town was Taxed £301 — the tax Act not coming into the hands of the Assessors 'till last fall and all communication being stoped between this place and Boston during the Course of the winter prevented our making application to the Hon'ble Court before,— we now beg leave to lay before your Honors a True & unexaggerated State of our situation and the difficultys & burthens we have & still Labour under

In the month of May 1763 about 12 men and two or three women came to Machias and began to Erect a double Saw Mill, and in the month of August the same year the remainder

of their familys came down. the next year a number of other familys having Joined them, they supposing themselves to be within the Jurisdiction of the Province of Nova Scotia applied there for a grant of a Township, but that Government supposing them not to be within there Limits refused making them a grant — in the year 1766 they having considerably increased in number made an application to the Government of Massachusetts but there being some Errors in their petition they faild, they repeatedly renewed their application untill the year 1770 when a grant passed the Legislature, but then the King's approbation was to be obtained before the grant was to be valid. during all this time and 'till the war commenced the people were in a state of uncertainty respecting their lands, therefore devoted the most of their time to Lumbering and had made but very little improvement upon there Lands when hostilities commenced, at which time they had not 3 Weeks provisions in the Township, and the very early and active part they took in the late contest rendered them very obnoxious to the british commandors, & they had reason to apprehend their Vengeance and for the first year all kind of business but war was dropd, the next year attempts were made for improveing our Lands but the frequent alarms upon our Coasts embaras'd the people, so, that but little progress was made, and in the month of August, one Brigg that was loaded in our River & bound to the West Indies and two sloops that were loaded and bound to Newberry, were all taken off the mouth of our harbour soon after they sail'd, by reason of which some people suffered greatly — In the fall of the same year M^{r} Edy came along from Boston, having obtained some provisions by the order of the Gen Court, tho' not clothed with any authority by them, yet he proposed to carry on an expedition against Cumberland in Nova Scotia, and the Inhabitants of Machias full of Zeal to support the common cause immediately engaged with Edy and set out for

Cumberland, but were finaly defeated after the severe season had set in, and had to make a retreat thro' the wilderness upwards of 300 miles thro' the snow, the next year an expedition was formed under the Authority of our Government against Nova Scotia and to enter that Province by the way of Cumberland the General Rendevouz to be at Machias, this the enemy got intelligence of and before any considerable number of the Troops or any cannon arrived here, a small squadron consisting of one Ship of 44 Guns three frigates and an Armed Brigg entered our harbour with a full determination to destroy us, but by the goodness of Devine Provedence and the vegerous exertions of the people, they were repulsed with great loss on their part, and upon our side of one man killd, one wounded two dwelling houses two barns & one Mill burt — they afterwards collected in force at the mouth of the River S^{t} Johns, and we had frequent alarms and information, that they were determined to make another attack upon us, so that all the peoples time and attention was taken up in making the necessary preparations of defence, 'till the season closed when we were informed the enemy had retired into winter quarters,— In the year 1778 we had some little Tranquility and considerable exertions were made for improveing our lands but in the year 1779 we were again thrown into the greatest distress by the Enemys establishing a post at Bagwaduce, we then expected nothing but subjugation & people had no heart to do any thing — after our Troops arived & beseiged the enemy. Gen^{l} Lovell found a reinforcement was necessary & sent an order for one half of the Melitia to Join him, the draught was immediately made and set out with Colo Allan, and had got as far a Deer Island when they received intelligence that the seige was raised, the people then returned home again but were under constant apprehentions of being subjugated, the British commanders having Issued Proclamations denounceing Vengence against all those that

did not come in a short time and submit to the british Government and take the oath of Allegiance, many persons to the Westward of us were so discouraged as to propose to fall in with the british so far as to become Neuter and had petitions drawn for that purpose & sent to this Town to Join in the measure, but we refusing and the steps we took prevented those who were in favour of it from falling in, whereby the whole Country Eastward of Bagaduce was preserved — the people of this Town were now allmost reduced to a State of disparation, but still determined never to Submit untill reduced by superior force — altho all communication with the Metropolis and all other parts of the State from whence we had any hope of relief seemed to be cut off, frequent alarms now took place thro' this and the ensuing year, and whilst the war lasted the people were called out for to erect fortifications and keep guard — great pains was taken by the enemy to bring the Indians upon us and in the Fall of the year 1779 the noted Major Rogers was actually sent thro' by the way of S^{t} Johns to Canada to bring a body of Indians against us early in the spring and they came part of the way as we was afterwards informed untill the Indians belonging to S^{t} Johns River met them and persuaded them to return by telling them that the French and we were brethern, and to fight against us would be to fight against there father the French King — but as we had early intellegence of the business that Rogers was upon we realy expected him and was at the expence of keeping Scouts up the Rivers to discover the enemy if they approached — Several Vessels that were bound here with supplyes were taken and one that was loaded with fish furrs and other valuable articles & owned in this place was taken on her passage to Boston, and others that had property on board belonging to the inhabitants were taken — the numerous alarms and the want of provisions very much impeded the improvement of the lands the remaining years of

the war and kept the people in a very naked situation. when the peace took place in 1783 and goods coud be purchased for Lumber they were under the necessity of obtaining considerable credit in order to carry on their business & Cloath there familys — their Mills during the war went to decay and were rotted down, but Lumber being now in great demand & commanding a great price they were Excited to rebuild there Mills but were at a very great expence in doing it, as labour of all kinds was Exceeding high, had Just got under way and a prospect of discharging the demands against them, when the Navagation Act was passed, which immediately reduced the price of Lumber down from Eight to four Dollars per Thousand and is now a Drugg at three Dollars — thus were the people involved in the Utmost distress for most of them were in debt at the Commencement of the War and during the Contest had no means of Discharging it, even with paper Money, which they woud not even have wished to have done had it been in their power, and to their old debts they have been under the Necessity (as aforementioned) of ading a very considerable new Debt, and the Navigation Act was followed by two exceeding dry seasons Especially the last, when the drouth set in very severe in July the Mills were soon stoped for want of water & continued so the remaining part of the season and winter set in very early without rain, the Crops of Potatoes cut prodigiously short & no credit to be obtained so that the Inhabitants were reduced to greater streights the winter past then during any part of the War — They have also been at a great expence in running out their Township, laying out the lotts Setling a Minister & supporting him for fifteen years, building & providing places for public worship making Roads and many other heavy expeces which arise in bringing forward the Settlement of a new Township — as an almost total stop was put to all business during the war the Inhabitants in General were unable to pay their Minister

yearly, which obliged him to run in debt for the support of his family, and when peace took place there was nearly nine hundred pounds to be raised to pay his back Salery to enable him to discharge his debts which comes very heavey on the people add to this his Salery since the peace — £80 a year for public School, £250 year we have raised to make & repair Roads & high ways & £200 for repairing our meeting houses the present year with the other expences of the Town make it almost impossible to pay any State Taxes at present — And our great desire to support the Laws, renders it necessary for us to make still further applica- which is for a County to be erected in this district which if granted must be attended with considerable expences — but the Necessity of it makes us Anxeuous for the accomplishment of it, there is many strong & Cogent reasons for a Countys being established in this district, in perticular for the punishment of crimes against the Public, which altho' they are not numerous, yet there is some & amongst others those of Fornication and Bastardy, also for granting licences to persons as Inholders and retailers of Speritous liquors, for no person will be at the expence & fatigue of Traveling Two hundred miles & upwards thro' a Wilderness & exceeding bad roads & when they come there must seek friends to be Bondmen for them which perhaps as they are strangers it woud be impossible for them to obtain, and the consequence will be there will not be any licenced persons in this part of the County, liquors will be sold in a clandestine manner & if one sells another may and the matter will be so general that no person can be informed against or punished and individuals may thereby be very much injured by too free a use of Sprituous Liquors — a County road is also exceedingly wanted, which will not be obtained untill a County is Established here in short the reasons as before observed are too numerous to be mentioned — In the first years of the War the Gen[l] Court found it

necessary to grant the Settlements on the Eastern shore considerable sums of Money to purchase provisions for the Inhabitants — this place received with the others and have paid the whole since the peace took place which amounted to near £1200 which we believe is the only place Eastward of Penobscott that has repaid Government any part of the Moneys received — neether has the other settlements been at the expence of supporting a minister, building meeting houses, raising Money for highways & Public Schools, which has been such a burthen on this place — we are informed that Honble Court have been pleased to ease Several of the plantations Eastward of Union River of their Taxes in consideration of their inability to pay and it is a fact that this place for the reason before mentioned is the least able to pay of any place in the Eastern parts of this Commonwealth — At the time we petitioned to be incorporated, several of the Members of the General Court informed us that it woud not be the means of bringing on Taxation any sooner, as they supposed it woud be unreasonable to Tax us any sooner then the other places adjacent which were more able to pay, only because we wished to be incorporated to come into better regulations among ourselves — We dont wish to flinch from the Public burden but whenever we are able to pay any thing towards it we will do it with cheerfullness — but from the many difficultys we Leaboured under during the war, our embarressed situation at the time & since the Peace took place the large sums we have been obliged to raise for the support of our Minister & other purposes, the punctual manner in which we have repaid Government the Money borrowed, togeather with our inability at present We humbly pray the Hon^{ble} Court to be pleased to take our distressd situation in to their wise consideration & grant us relief by Remiting our state Tax, and as in duty bound we will ever pray

Stephen Jones, Ja^{s} Avery, Jeremiah O'Brien } Committee
By order and in behalf of the Town of Machias

In the House of Representatives June 18, 1787

Read and committed to M^r^ Bowdoin & D^r^ Coney with such as the Hon Senate may join

Sent up for concurrence

I Warren Spk^r^

In Senate June 18, 1787

Read and concurred & Benj^n^ Austin Jun^r^ is joined

S Adams Presid^t^

Commonwealth of Massachusetts

In the House of Representatives July 2^d^ 1787

On the petition of the Select Men of the Town of Machias praying for an abatement of their Public Taxes, Resolved That the Treasurer do not issue his execution against the Collector of Taxes for the Town of Machias until the further order of the General Court —

Sent up for concurrence

I Warren Spk^r^

Petition of the Town of Machias.

The Committee of both Houses on the Petition of the Town of Machias, praying for an Abatement of their Taxes — beg leave to report the following Resolve

Benj^n^ Austin Jun^r^ p^r^ Order

Commonwealth of Massachusetts }

Resolved, That the Prayer of the Petition be so far granted, That the Treasurer of this Commonwealth be, & he is hereby directed to Credit the said Town of Machias, with the sum

of One hundred & fifty pounds, ten shillings in part of Taxes, levied on the said Town, by a Law pass'd in March 1786 For reasons set forth in the said Petition —

In Senate June 25th 1787 —

Read & not accepted —

In the House of Representatives July 2d 1787

Read and concurred

Sent down for concurrence

S Adams Presidt

Memorial of James Gilmore et als.

Commonwealth of Massachusetts }

To the Honorable Senate & the Honorable House of Representatives in General Court Assembled 30th of May A D 1787

The Memorial of James Gillmore & others Humbly Sheweth,

That your Memorialists prefered a petition to the General Court in February Last Setting forth that in an early stage of the Late war, Relying upon the faith of Government, they Lent their money for its use, but have Received no Interest for years on most of their notes, & praying for relief, said petition was presented so late in the session that nothing was done upon it, Your Memorialists further shew that the present Mode of Discharging Interest on Government Securities by the Treasurers Giving orders for one half to be paid by the Collectors of Excise, & the other half by Constables who are in arrears for Taxes payable before the year 1784, Especially orders upon the Latter, Can be of Little or no service to your Memorialists, who live at a Considerable Distance from the Constables in that predicament, besides those orders have long since become the Traffic of Speculators,) & perhaps have increased their Number | and are sold at a Discount, too painfull to mention, by those who have a Tender

feeling for the Credit of Government,—we think hard to pay our own Taxes, & half or two thirds of the Taxes of some of our fellow Citizens, who are of Equal ability with our selves, & who by Delay of payment avail themselves of those orders at their present Discount, But we trust that your Honors love for justice, will Induce you to take measures for the removal of these Temptations, & that Equity may take place between fellow Citizens as nearly as Circumstances will admit, your Memorialists therefore pray that your Honors would take this memorial & the petition refered to, into your wise Consideration, & order one years Interest to be paid on Each of their Notes, out of the specie part of Tax N° 5 Granted March 1786, by orders on the Constables of the Towns to which the petitioners belong, & which will Enable them to pay up their Tax for that year, & will be applying The money for the purpose for which a Large Sum of it was appropriated by Law, or relieve your memorialist in such way as to your Honors May seem meet, and as in Duty Bound Shall ever pray,

James Gillmor,	John Peirce,
James Metcalf,	Joseph Hawes,
Jabez Fisher,	Phenihas Waree,
David Gilmore,	Eben^{r} Metcalf,
James Woodward,	Jabez Fisher Jun^{r},
Jabez Ward,	Relatiak Fisher,
John Metcalf,	Billy Metcalf,
Nathaniel Fisher,	John Whiting

Re: Three Eastern Counties.

An Address,

Of a Convention held at Portland on Wednesday the 5th day of September, 1787, by adjournment—to consider of

the expediency of the Three Counties of York, Cumberland, and Lincoln being formed into a Separate Government — to the Inhabitants of said Counties —

Friends and Brethren,

The publick good is an object of the greatest importance to every society; and deserves the attention of the society in general, and of the members who compose it in particular. For upon the general weal depends the interest and happiness of every individual. Upon this principle have a Convention of the Three Eastern Counties proceeded, from time to time; and have written to, and addressed you accordingly.

Last January the Convention put into the hands of a Committee a petition to the General Court, praying for their consent that a separate government might be erected, including the three counties of York, Cumberland, and Lincoln. This they did upon the principle of such a separation's being consistent with the good of the Commonwealth at large, and highly beneficial to said counties. This petition now lays before the General Court (who are the political fathers of us all;) but they have not sufficient knowledge of the minds of the people, to proceed thereon. The Convention therefore, solicitous for the general good of the whole Commonwealth, and of these Counties in particular, wish to furnish them with all the evidence necessary upon such an occasion. They therefore recommend, that the inhabitants of the several towns and plantations in said Counties, would freely give their voices, by subscribing the following, yea or nay.

*Nay. Blank, Yea. Stephen Hinkley, Jeremiah Hall, Daniel Stevens, Simon Dearborn Jun^{r} Benjamin Wade, Peter Clark, Nathan Sweetland, Benjamin Wallker, Rufus Bent, Benj^{n} White, John Montgomery, Jabez Gold, Samuel Bulbin, Jason Livermore, Solomon Con[ ] Jotham Smith, Joseph Fletcher, John Beeman, Edmund Dana,

* See House Documents numbers 2712, 13 and 14, for different names.

Thomas Sewall, Isac Harden Jun^{r}, Nath^{l} Hinkley, Moses Sewall, Ezekiel Chase, William Stone, Noah Woodward, Samuel Coney, Daniel Chace, Sam^{l} S. Gilman

A Subscription for collecting the general voice of the Inhabitants of the Counties of York, Cumberland, and Lincoln — whether they wish to be formed into a Separate Government, or not. Those who for a separation will subscribe their names under the word yea; and those who are against it, under the word nay. Those towns and plantations who choose, are desired to take the sense of their inhabitants, at a meeting called for that purpose, whether the subscription shall be forwarded to Court or not.

And it is hereby recommended and desired, that the above subscriptions may be returned, by the second Wednesday of November next, to Stephen Hall, Esq. of Portland, Jacob Bradbury, Esq. of Buxton, Capt. James Carr, of Hallowell, or to either of them, as may be most convenient, being a Committee appointed to receive and forward the same to the General Court, whether the voice of the town or plantation be had thereon or not.

By order of the Convention.

William Gorham President,
Stephen Longfellow, jun. Clerk.

Nay. Blank.

Yea Eph^{m} Ballard, James Carr, D. Coney, Samuel Dutton, Simon Dearborn, Thomas Stickney, Eliphalet Gilman, Enoch Page, William Palmer, Isaac Savage. s^{d}, Benj^{a} Brown — William Sprage, Amos Polesre, Benj^{a} Stickney, David Wolls, Eliphelate Robins, David Pollard, Isaac Clark, Thomas Hinkley, Jonathan Ballard, Thaddeus Snell, David Jackson, Benj^{a} Dudley, Judah Cowel, Jesse Follet, James Hinkley, Thomas Dinsmore, Robert Kennady, Isaac Savage

Petition Inhabitants of Waldoborough.

Commonwealth of Massachusetts

To the Hon^ble^ the Senate and the Hon^ble^ the House of Representatives in General Court assembled

The Petition of the Subscribers english Inhabitants of the Town of Waldoborough in the County of Lincoln — Humbly sheweth;

That, a great Majority of the present Inhabitants of said Waldoborough are native Germans or their immediate Descendants who still retain & cultivate the german Language

That, for several years past they have supported a public Teacher of Religion in their own Language by a Town Tax annually granted in which the English Inhabitants are equally assessed with the Germans tho' they cannot participate with them in the Benefit.

That, Your Petitioners now have in Contemplation the Building a Meeting-House & procuring a Minister — but, That, their being obliged to be Assessed with the Germans in every Town Tax for the Support of the Gospel and having no legal power to raise monies for the Benefit of their own Society are Obstacles in the Way of effecting said important Objects:

Therefore your Petitioners pray your Honors to take their present Situation as a religious Society into your wise and good Consideration and to make an Act Incorporating the English Inhabitants in the Town of Waldoborough into a Parish distinct and separate from the Town & invested with powers & priveleges adequate to the support of the public Institutions of Religion

And Your Petitioners as in Duty Bound shall ever pray &c

Thurston Whiting,	John Studly,
Charles Samson,	Francis Vinal,
Alex^r^ Turner,	Luke Jones,

Stephen Andrews,
Nath[a] Pitcher,
Zebedee Simmons,
Joshua Thomas,
Stephen Simmons,
Caleb Howard,
Joseph Simmons,
Jabez Cole,
Barnabas Simmons,
Henry Ewell,
Moses Simmons,
Jacob Wade,
Charles Ewell,
Malachi Ewell,
Henry Ewell jun[r],
John Keth,
Watermon Thomas,
Joseph House,
Ezekiel Vinal,
Abner Pitcher,
Lues Pitcher,
John P[ ],
Lemuel Wentworth,
John Hunt,
Nath[l] Simmons,
John Clark,
Pelig Oldham,
Benjamin Labbree,
William Fish

Parsonfield Petition.

To the Honb[le] Senate & house of representatives in General court Assembled Boston Octob[r] 1787

The Petition of the Inhabitants of the Town of Parsonsfield by their Committee Humbly Shew

That the Petition handed to your Hon[rs] Setting fourth that the Inhabitants of Parsonsfield, conceived — that the Proportion of Taxes, charged to the Town of Parsonsfield, was more than Eaq[l] to other Towns, that the Inventory Annexed was Taken by persons wholly unacquainted in Such matters, and not makeing a proper Allowance for Lands that are partly seeded with grass & greatly Incumbered with Loggs & Stumps, have thereby Exposed your Petitioners to great Injury by greatly inlarging the quantity of mowing Tillage & Pasture Lands as appears by an Inventory thereof Taken by persons under Oath hereto Annexed your Petitioners Humbly

Shew that the produce of their improved Lands are insufficient to supply the inhabitants with provisions y^r^ Petitioners Humbly conceive that if your Honors were sensible of the Extraordinary Expence that attends the Cultivation of Lands that are of such a quallity as to require plowing and Tilling with great Expence of Labour & afford so small a crop as is by no means Eaq^l^ to the Expence, your Hon^rs^ would readily conceve that your Petitioners ware over Taxed your Petitioners Humbly Conceive that Valuing Parsonfield Lands Equal in quality to Limerick Lands would not be approved of by your Hon^rs^ if the Difference in the quality was known to y^r^ Hon^rs^

The Lands in Limerick were taken up by the proprietors without being confined to any Certain boundaries Inclosed about thirteen Thousand Acres of the Best Land they could find in a compact Body but your Petitioners being confined to certain Boundaries Inclosed a Large quantity of mountainous and Unimproveable Lands, one ridg of Mountains Extends almost the wedth of the Town Near the middle which contains four ranges of Lots near one third part of the Town and are So Broken that but Very few Lots are or Can be Improved for farms and that the whole Town Contains but Sixty Lots that men of Judgment in Lands would Spend Labour and Cost to Improve for Farms that the Taxes upon the Unimprovable Lands can Neither be Collected from the owner nor obtained by the Sale of Such Lands

Y^r^ Petition^rs^ are apprehensive that an Error was Committed by the Hon^bl^ Committee appointed to Ascertain the Value of Parsonsfield of Two Hund^d^ & fifty pounds in the mowing & Tillage Lands and Humbly pray that your Hon^rs^ would make such an Abatement of y^e^ Sum Charged to your Petitioners as will be Eaq^l^ with other Towns and they as in Duty Bound will Ever pray

Tho^s^ Parsons, John Doe, Jonathan Kinsman

Valuation of Parsonsfield		
86 ratable poles		
14 not ratable		
39 Horses		£192
71 Oxen		350
134 Cows		393 — 8
127 Young Cattle		243 — 11
117 Swine		106 —
410 Acres of Mowing and Tillage Land }		484 —
320 Acres Pasture Land		188 —
55 Barns		275
1 Dwellg House		25
3 Ditto	12/	36
5 Ditto	8	40
10 Ditto	6	60
36	4	—
171 B Corn		17
4 T Hay		3 . 12
		2413 — 11
Unimprov[d] Lands		
3950 @	3[d] p[r] Acre	£ 59 — 7 . 6
6198	12	309 10 —
2100	2/	210 —
3096	3/6	541 — 14 — 0
3700	5/	925
3230	6/	969
		3014 — 11 — 6

Petition of Westport.

To the Hon[ble] Senate and House of Representatives in Commonwealth of Massachusetts —

the Petition of we the Subscribers and inhabitants of West Port, Humbly Sheweth that We Signed the Petition to have

the village of Aconset incorborated into A Town and We not considering the many inconvenances that does attend this incorboration have now deliberately Weighed With the utmost concern Our happy union with the Town of Dartmouth connected With the many advantages that was so inseperably interwoven With Each Other Cannot but regret Our Seperation wich we View with the greatest anxiety of mind — and most Humbly pray your Honors to Grant us the Liberty of having Our names enrolled with our Estates to become the inhabitants of the Town of Dartmouth and it Gives us pain to take up your Honors Time but yet we presume that your Honors will forgive us When you Consider it is Better to Live On A dry morsell with quietness therewith then A house full of plenty with Strife and your petitioners in duty Bound Shall Ever pray

Henry Horland Peleg Cornell,
George Burdick, John Anthony
West Port October 8th 1787.

Elisha Brown's Petition.

Commonwealth of Massachusetts
To the Hon^ble^ Senate and house of Representatives in General Court Assembled —

The petition of Joshua Bealls — humbly Sheweth that your petitioner being a Collector of taxes in the town of Windsor for the years of Eighty two and Eighty three, and had Committed in to my hands Town County and State taxes against Cap^t^ Nathan Harwood to the amount of near thirty pounds and the said Harwood refusing and Neglecting to pay the same, or turning out or shewing property whereon to Levy my warrant your Petitioner applied to the Assessors for a warrant of Commitment and attached the body of the said

Harwood — and then the said Harwood proposing to settle the same by paying part and the remainder as soon as possible — and he challanging the Legality of our Town Meetings saying that the Assessors had no right to grant a Commitment — and Your petitioner taking advice of the Selectmen and other principle Inhabitents was advised to let him go for the present, untill our Illegal Meetings could be ratified by the General Court — (which has since been done) and now the said Harwood being set at liberty still refuses to pay said taxes under protence that my taking his body and setting him at liberty again, has in the Eyes of the Law Discharged him from the whole of said taxes —

Therefore your petitioner humbly prays that as your petitioner has Set the said Harwood at liberty, partly on said Harwoods promise to pay the whole of said tax, and partly on the advice of the Assessors and Selectmen they fearing that the said Harwood might get some advantage by reason of our Town Meetings being illegal — that your Honours Would pass some Resolve inabling your Petitioner to Collect the whole of the taxes that are Justly due from said Harwood — in the same manner as your petitioner had a right to do by law had he never taken his body and as in duty bound Will ever pray

Joshua Beall, Colect:

Windsor October 19th 1787

We the subscribers do hereby certify that we are fully sattisfied that the reasons given in the foregoing Petition are right and Just — and that the prayer of the petition ought to be granted

Elisha Brown,
Denison Robinson } Selectmen
Sam[l] Baldwin

Zebadiah Morse,
Elisha Brown,
Joseph Pierce, } Assessors
Sam[l] Baldwin

Letter of Rufus Putnam.

Commonwealth of Massachusetts,

October 24th 1787

To the Honourable the Senate and House of Representatives in General Court Assembled —

The Subscriber begs leve, to represent to this Honourable Court, that after the present session it will be out of his power, Consistant with his interest and other engagements, to continue longer in the Service of government on the Committee for the Sale, and Survey of eastern Lands —

that it would be more agreeable to him to be released from that kind of Service immediately, but as their is no other Surveyor on the Committee he will attend the further orders of the General Court the term aforesaid, unless by a new appointment or otherwise it Shall become unnecessary

I have the honour to be Gentlemen with all due respect your Honours

Most obediant Humble Servent

Rufus Putnam

re Petition Jonathan Davenport.

Commonwealth of Massachusetts

In the House of Representatives October 19th 1787

On the Petition of Jonathan Davenport, Collector of Taxes for the Town of Halowell for the year 1786, praying that the Treasurer may be directed to receive the sum of Twelve pounds, being the amount of three Wolves Certificates, for which he paid the full amount in specie in lieu of so much of the specie part of Tax N° 5 for reasons set forth in the said petition.

Resolved, that the Treasurer be, and he is hereby directed to receive of the said Jonathan Davenport the three Wolves Certificates mentioned in his said petition amounting to the sum of Twelve pounds, in lieu of so much of the Specie part of Tax N° 5 commited to the said Davenport to Collect in the year 1786

Sent up for concurrence

I Warren Spk^r

In Senate Oct. 29, 1787

Read & Nonconcurred

S Adams Presid^t

Davenport's Petition.

Commonwealth of Massachusetts }

To the hon^ble Senate, & the hon^ble House of Representatives

The Petition of the subscriber humbly sheweth

That he was Collector for the Town of Hallowell for the year A. D. 1786.—had the N° 5 Tax Committed to him to Collect,—that he purchased Certificates for three grown Wolves, being killed in said Town, said Certificates amounting to the Sum of Twelve Pounds—for which he paid the silver money that he had Collected for the specie part of said Tax—expecting agreable to a Law of the Commonwealth to receive the money again out of the Treasury of the Commonwealth—or that said Certificates would be received by the State Treasurer for the Specie part of said N° 5 Tax,—but to the loss of your Petitioner, the Treasurer was notified to pay the money or receive said certificates for the specie part of said Tax.

your petitioner therefore prayeth your honors to take the premises into your wise consideration and direct the Treas-

urer to receive said Wolves Certificates, for the specie part of said N° 5 Tax — or otherwise relieve your petitioner as your honors Shall think best — and he as in duty bound will ever pray.

Hallowell Sep^{t} 18, 1787 —

Jonathan Davenport Collector

Hallowell September y^{e} 11 1787

These may Certify that we Received of Jonathan Davenport Collector of taxes, the Sum of Eight pounds all in Silver money, for two wolves Certificates without any discount whatever; we say Recd by us last Spring

Abraham Davenport, Thomas Davenport

These may Certify that last Spring I paid to Jeremiah White, Thomas & Abraham Davenport, for three wolves Certificates, the Sum of twelve pounds all in hard money, Excepting Jeremiah Whites Pole tax that I discounted with him, for part of Said Sum

Jonathan Davenport Collector

Hallowell September y^{e} 11, 1787

re Petition Josiah Pierce.

Commonwealth of Massachusetts

In Senate Nov^{r} 1787

On the Petition of Josiah Peirce Resolved that any two Justices of the Peace for the County of Cumberland Quorum Unus be empowered to Grant to Josiah Pierce of the Plantation called Flints Town a License to Retail Spirituous Liquor till the Court of Gen^{l} Sessions of the Peace in October next

he procuring a Recommendation from the Select Men of one of the Towns in the vicinity of s^{d} Plantation, and procuring Bonds according to Law — And the Justices granting the Licence Shall report the same to the Clerk of the Court of Gen^{l} Sessions of the Peace for s^{d} Country And it is farther Resolved the courts of Gen^{l} sessions of the Peace in the several Counties in this Common Wealth are hereby empowered to Grant Licences to any of the Inhabitants of Plantations within their Several Counties. Provided such Persons applying shall procure Recommendation from the Select Men of one of the nearest Incorporated Towns in the Vicinity and otherwise conform^{d} to the Rules of Law Respecting Granting Licences to the Inhabitants of Incorporated Towns

Petition of Josiah Pierce.

To the Honorable Senate and the Honorable House of Representatives of the Commonwealth of Massachusetts in General Court assembled

The Petition of Josiah Pierce of a Place or Plantation called Flintstown in the County of Cumberland

humbly shews

That having obtained a Recommendation from a number of Principal Inhabitants and Proprietors of said Plantation =he applied to the Court of General Sessions of the Peace for said County which was begun and holden at Portland on the last day of October last and now stand adjourned to the third Tuesday of December next — for Licence to retail Spirituous Liquors in said Flintstown — but the Court judging they had no Power to grant Licences to any Persons but such as live in corporate Towns and produce an Approbation from the Selectmen did not grant the Licence requested And as, there is no licensed Person in said Plantation, and

no other objection was made to granting License to your Petitioner — He humbly prays your Honors would grant him license for the purpose afores[d]

And as in duty bound will ever pray:

Josiah Pierce

We the Subscribers Inhabitants or proprietors of the Town of Flintstown in the County of Cumberland do approve of & recommend M[r] Josiah Pierce of said Flintstown as a Person of Sober life & conversation suitable to keep a Public House as Inn-holder or Retailer in Said Town & do Recommend him as friendly to the United States of America

April 1786

Inhabitants

William Binford,
Joseph Richardson,
Samuel Batchelder,
Richard Hine,
Joshua Davis,
Richard Fitch,
Moses Lowell,
Ephraim Bacheldor,
Jonathan [ ]

Proprietors

Charles Baker,
Jeremiah Barnard,
David Brown,
Nehemiah Lawrence,
Zech[r] Fitch,
Elisha Jones,
Cyrus Fairbank
Sam[ll] Reed,
W[m] Whittemore,
Walter Russell,
Edward Flint,
Peter Harwood
Simon harding

Petition of Joseph Storer.

Commonwealth of Massachusetts

To the Hon[ble] The Senate & House of Representatives for said State in General Assembly convened at Boston

Humbly shews Joseph Storer of Wells in the County of York and Commonwealth aforesaid Merchant, that your

Petitioner proposes, provided he can have suitable encouragement & assistance, to erect and establish within the Parish of Kenebunk in said County, a rolling and slitting Mill, and also a Nail Manufactory, which he apprehends are both much wanted in that place and in the Country round about, and as such a Mill and Manufactory will be of very great public utility and the building and completing thereof attended with too great an expence for a private individual unassisted by the Public, he humbly prays that your Honors would make him such grant as to your wisdom shall seem meet to enable him to prosecute the aforesaid useful and important plan, and He, as in Duty bound will ever pray —

Joseph Storer

Wells Nov^{r} 1st 1787

Treasurer's Letter with Statement.

To the Honourable House of Representatives

May it please your Honors

In Conformity to the order of the House — The Treasurer asks Leave to lay on the Table a Return of the Balances due on the Taxes N° 1, 2, 3, 4 and 5 from the Counties of Suffolk, Essex, Middlesex, Hampshire, Plymouth, Barnstable and Bristol, from the Sheriffs and Collectors on the first of October, the Balances from the other Counties are prepareing and when compleated shall be presented by Your Honors Obedient Humble Servant

Alex Hodgdon

Treasury Office 6 Nov^{r} 1787

Superscribed: The Honorable James Warren Esq^{r} Speaker of the House of Representatives

Petition of New Glocester.

To the Honourable Senate & honourable House of Representatives of the Commonwealth of Massachusetts, in General Court assembled

The Petition of the Town of New Glocester in the County of Cumberland humbly sheweth, that it would be a great Privilege to the said Town if the River, called Royal River, running thro' the said Town, might be opend & made accessible to the Fish that usually make their Haunt in such River; of which Privilege they are now deprivd, by reason of Mills built on said River. Your Petitioners therefore humbly pray that the Provision made by this honorable Court for other Towns in the like Case, may be made for them, by such an Act of Court as shall effectually secure to them the said Privilege. And as in Duty bound, your Petitioners Shall ever pray.

Signed in the Name & by Order of the Town
Nath[l] Eveleth, John Merrill } Selectmen

re petition Hannah Mann.

Commonwealth of Massachusetts

In the House of Representatives November 9[th] 1787

On the petition of Hannah Mann, widow of Robert Mann, late, of the Plantation of New Worcester, on Penobscot River —

Whereas it appears to this Court that the Said Robert Mann, about ten years Sence became a Settler and continued So to the time of his Death, on a tract of Land lately Sold by this Commonwealth to Moses Knap and others, without any provision in favor of the said Robert or his heirs, whereby

the Said Hannah and her children are deprived of that allowance of lands, including their Improvement, which Government have made to others of the Same Plantation under like Circumstances — Therefore — Reesolved, that their be granted, and their is hereby granted and confirmed unto the Said Hannah Mann, and her heirs, one hundred and fifty acres of the unappropriated lands of this Commonwealth, in Township Number ten of the First Division of Townships East of Penobscot River, to bound Westerly on the said River and laid out Seventy five rods in front by one Mile in Depth, the Side lines to be parallel to the lots laid out to the Refugees from Novascotia, and the Committee on the subject of Unappropriated lands in the County of Lincoln, are to govern themselves accordingly —

Sent up for Concurrence

I Warren Spk^r

Memorial of Hannah Mann.

To the Honourable Senate and house of Representatives in and for the state of Massichusets &c &c &c —

the Memorial of Hannah Mann widow and Relect of Robert Mann late of New Worcester Penonobscut River Deceased humbly Sheweth that about ten years now past the above s^d Robert Mann purchased an improvement on a piece or Tract of land on the East Side of penobscut River of Jonathan loudar for which he paid to him the said louder the sum of one hundred and fifty Dollers Equivalent to Silver which premices he peaseably proposed until Some time in the year 1786 when Maj^r Knap and others Came by order of Cort and with a Survayer laid out a town-Ship of land to him the s^d Knap and others which Encluded the above s^d improvements

and then the above s^d^ Robert Mann Dec^d^ Did petition to the General Court with Jon Bower and others for a Grant of one hundred acres of land as a Setler which was according to a Resolve of the General Court but through Some Circumstances not yet Known his the said Robert Mann's name was neglected and some time after when hearing that he was neglected then he the s^d^ Robert Mann Decesed Strove to pertition to the Court but before he Could Receive an answer from the Court he the Said Robert Mann died and left me your memorialist a widow with Seven Small Children to Support and your Memorialist is warned off of the above s^d^ improvement which if i must leave i my self with my Children must Sertainly Suffer with hunger and Cold there are therefore to pray the General Court to take me your memorialist into your wise Consideration and Consider the Circumstances of a poor distressed widow with such a number of poor helpless orphans and Still Keep us harmless in the peaceable possion of one hundred acres of land with the improvements and your memorialist Shall Ever pray

p^r^ me Hannah Mann

penobscut October y^e^ 22^th^ 1787

re petition of Ezekiel Pattee.

Commonwealth of Massachusetts

In the House of Representatives Nov^r^ 9, 1787

On the Petition of Col° Ezekiel Pattee in behalf of the Town of Winslow in the County of Lincoln praying that an execution which has issued by the Treasurer of the Commonwealth against the said Town for the sum of £424 .. 19 .. 5 may be recalled for reasons set forth in the said Petition

Resolved that the prayer of the said Petition be granted, as the facts stated therein appear to be true, and that the said Treasurer be and he is hereby directed to recall the said execution, and credit the said Town with the aforesaid sum according to a Resolve of the General Court which passed the 10th day of November 1786 —

Sent up for Concurrence

I Warren Spkr

Petition Ezekiel Pattee.

Commonwealth of Massachusetts

To the Hon'ble Senate and House of Representatives of said Commonwealth in General Court assembled —

The Petition of Ezekiel Pattee in behalf of the Town of Winslow in the County of Lincoln —

Humbly sheweth

That by a Resolve of the General Court of the 10th of November 1786 the Plantations of Hancock & Canaan were discharged from paying to the said Town of Winslow the several Taxes that were assessed on them by the same Town: and by the same Resolve the Treasurer of the Commonwealth was directed to credit the said Town of Winslow with the amount of the Taxes assessed as aforesaid notwithstanding which, an Execution has issued against the said Town for the full of the said Taxes amounting to the Sum of £424 .. 19 .. 5 although that sum has been assessed and collected by the said Plantations and by them applied to the purposes directed by the said Resolve. Your Petitioner therefore humbly prays that the Treasurer of the Commonwealth be directed to recall the said Execution & Your Petitioner will ever pray —

Ezekiel Pattee

This certifies that about the middle of October last I was in the Plantations of Hancock and Canaan, where I saw the People of said Plantations busily employed in working upon the highways, and they informed me that they were then at work pursuant to a certain Resolve of the General Court, which permitted them to work out on the highways certain taxes that were assessed upon them by the Town of Winslow — they likewise informed me that they had almost compleated the business and from the improvements I discovered upon the Roads, I supposed and do still suppose the said information to be true

Ezekiel Pattee } A Select Man of Winslow

Suffolk Ss Boston 14 Novem^{r} 1787.

Then M^{r} Ezekiel Pattee personally appeared, and made oath to the truth of the foregoing Certificate, by him subscribed, before me

Tho Clarke Just pacis.

Bill for Instituting a Registry of Deeds in Each Town.

Common Wealth of Massachusetts

In the Year of our Lord one thousand seven Hundred and Eighty seven.

An act for the more convenient registering deeds and other conveyences of real estate in this commonwealth, and for determining the time for appointing registers of deeds in each Town in this commonwealth

Whereas a large number of the inhabitants of this common wealth from their local situation have experienced many inconveniences from the present mode of registering deeds and other conveyances of real estate, for the prevention of which inconveniences for the future

Be it enacted by the Senate and House of Representatives and by the authority of the same. That each Town with in this Commonwealth are empowered and directed from and after the day of one public office for the recording all deeds and conveyances of real estate lying within the limits and boundaries of each respective town, and the separate plantations thereto adjoining

And be it further enacted by the authority aforesaid that each and every town in this commonwealth are hereby impowered and directed at their annual meeting in the month of March or April for the choice of Town officers to choose a clerk by writen ballot for the recording all deeds and conveyances of real estates lying in said Town which clerk so chosen shall be sworn to the faithfull discharge of his office whose duty it shall be to receive and record all conveyances of real estate lying in said town for which he shall receive the same fees as are at present allow'd to the county Register for doing the same business, as likewise for any examination of any record or for a coppy of the same

And be it further enacted that every clerk so chosen as aforesaid before he enters on the duties of his office shall give bonds with sufficient securities for the faithfull discharge of the duties of said office in the sum of

And be it further enacted that on the day of the present County registers of Deeds shall deliver over the records in their respective hands to the Treasurer of the county of which he was the register and said Treasurer is directed to receive the same, and to keep them in his office and it shall be the duty of each county Treasurer on application made to him for that purpose to examine said Records and give Coppies thereof or any part thereof, for which he shall be intitled and receive of the person so disiring it the same fees which are by law now allowed to the County register for doing the same business, and a

coppy of any such record attested by such Treasurer shall be as good and valid evidence in law, as any coppy hither given of any such record by any County register

And be it further enacted that from and after the day of all laws heretofore made with regard to county Registers is hereby repealed and made void.

re Petition Town of Norridgewalk.

Commonwealth of Massachusetts

In the House of Representatives November 14th 1787

on the Petition of the Plantation of Norridgewalk Setting forth that their Great Poverty and inebility for the Payment of Publick Taxes and Praying for an abatment of the Taxes assessed on them by the Town of Winslow

Resolved that the Plantation of Norridgewalk be and they are hereby discharged from Paying to the Town of Winslow the Severall Taxes assessed on them by the said Town of Winslow Ammounting to the Sum of Sixty four Pounds Seventeen Shillings ten Pence and the Treasurer of this Commonwealth be and hereby is directed to discharge on the Execution against said Town of Winslow the aforesaid Sum of Sixty four Pounds Siventeen shillings & ten Pence

Resolved that the Plantation of Norridgewalk be and they are hereby Authorized and Required to Assess on the Inhabitants of the said Plantation of Noridgewalk the aforsaid Sum of Sixty four Pounds Seventeen Shillings & ten Pence in the Same Manner as Towns are by Law directed to assess Publick Taxes and the money so assessed and Collected to be applied to making and Repairing Roads and Bridges in the said Plantation

and be it further Resolved that in case the foregoing Resolution be not carried into effect and a Certificate thereof Producd under the hands of the Selectmen of the Town of

Winslow on or before the first day of October next then and in that Case the Monies aforesaid or Such Parts of them as shall not be applied to the foregoing Persons shall be Paid into the Treasury of this Commonwealth

Sent up for Concurrence

I Warren Spk^r

Petition Inhabitants of Norridgewalk.

CommonWalth of Massachusetts Bay

To the Honourable Senat & house of Representatives in General Court asembled —

The Petition of the Inhabitants of Norridgwalk Plantation in the County of Lincoln humbly Sheweth that Whereas the Town of Winslow for a number of Years past have requird the Inhabitants of this Plantation to pay taxes to them your Petitioners Humbly pray in as much as they are utterly unable to pay the Money (as might easily be Shewed) and as your Petitioners are Destitute of Conveniant Rodes that the Honoured Court Would grant your Petitioners Liberty of working out the above s^d taxes in making rodes among them Selves the like Privelage which hath been Granted to the two Plantations below us and your Petitioner as in Duty Bound Shall Ever Pray

Oct^r 17^th 1787 —

John Clark,
Josiah Warren,
John Heale,
Nathan Parlin,
Obadiah Witherell,
Zec^h Longly,
Silas Parlin,
Levi Samson,
William Spaulding j^r,
Samuel Nutting,
John Langhton,
Zeph Keith,
El[ ] Spalding,
Seth Spalding,
[ ] Richards,
Goffe Moor,

John Samson,	Jonas Parlin,
Benj[a] Hinds,	Dan[l] Steward,
Thomas Heald,	Benj[a] Moor,
Moriah Gould,	Eleaz[r] Spaulding jun[r],
Oliver Wood,	Josiah Spaulding,
David Peirce,	Edmund Parker,
Josiah Heald,	Josiah Nutting,
Thomas Whetcomb,	Asa Parker,
Samuel Parker,	Will[m] Spaulding,
John Langhton,	Joseph Tarbell

Commonwealth of Massachusetts

In the House of Representatives Nov[r] 14[th] 1787

On the petition of David Gardner in behalf of himself, his two sons and Peter Richardson non-resident proprietors of the Town of Machias, setting forth, that they are dissatisfied with the proprietors of the said Township, because the said proprietors have not made them such grants of land as they have done to others in the same predicament with themselves, agreably to a Resolve of the General Court passed the twenty first day of June Seventeen hundred & eighty four, and praying to be heard on the subject of their dissatisfaction, the time allowed for that purpose being elapsed notwithstanding for reasons mentioned in the said petition.

Ordered, that the said David Gardner notify the proprietors of the said Town of Mechias to appear on the third Wednesday of the next Session of the General Court, to shew cause, (if any they have) why the prayer of his petition should not be granted, by serving the Town Clerk with an attested coppy of his said petition with this order thereon, thirty days at the least previous to the said third Wednesday

Sent up for Concurrence

I Warren Spk[r]

Memorial of David Gardner.

Commonwealth of Massachusetts

To the Honorable Senate & House of Representatives of said Commonwealth — at Boston Octo 28 – 1787

Humbly Sheweth David Gardner of Machias —

That when the Town of Machias was incorporated there was a Resolve of the General Court that the Proprietors should quiet those who had settled there & made improvements & who were called non resident Proprietors & that if any such non resident should make application within two Years from the time of said incorporation to the General Court of their disattisfaction, They should be heared upon the subject of their complaint — Now Your Petitioner saith that just before said Two Years had expired he came to Boston to state his complaints to the General Court of his disatisfaction as a nonresident proprietor of Machias But the Court was then nearly up, on which he gave his papers to Timothy Folgier to forward his Petition but from accident his petition was not preferred soon enough to be considered — He therefore humbly prays that his own case with that of his two sons together with that of Peter Richardson who were all named in said Petition might now be considered by a Committee of your Honours as in duty bound shall ever pray

David Gardner

Representation of Treasurer.

To the Honourable the Senate and the Honorable House of Representatives in General Court Assembled

The Treasurer — Respectfully asks leave to represent to your Honors, that in order to his Complying with the Resolve of Court respecting Issuing Executions against such Sheriffs

as have not return'd their Executions sattisfied He conceives it necessary that the Coroners to whom he Committs his Executions, should be Qualified, and as he supposes the giving of Bonds is an essential qualifycation, he begs leave to inform Your Honour he can find no Bonds in his Office from either of the Coronors of the following Counties Viz — Plymouth, York, Berkshire, Hampshire, Barnstable, Worcester & Lincoln — and prays your Honors direction in this Case

Alex Hodgdon Treas^{r}

Treasury Office Novem^{r} 15th 1787

In Senate Nov. 15th 1787 —

Read & committed to Caleb Strong Esq^{r} with such as the Hon^{ble} House may join to consider and report

Sent down for concurrence

S Adams Presid^{t}

Petition of Henry Howland.

Commonwealth of Massachusetts

In the House of Representatives November 12th 1787

on the Petition of Henry Howland George Burdick Peleg Cornell, and John Anthony Inhabitants of the town of West Port Praying that there names and Estates may be inroled and become Inhabitants of the town of Dartmouth ordered that the Prayer of the said Petition be so far granted that the Petitioners Notify the town of Westport by serving the Clerk of said town with a Copy of the said Petition and this Resolve to Shew Cause on the second Wednesday of the Next Session of the General Court if any they have why the Prayer of the said Petition should not be Granted —

Sent up for Concurrence

I Warren Spk^{r}

In Senate Nov^{r} 15, 1787

Read & Non concurred, & ordered that the Petitioners have leave to withdraw their Petition

Sent down for concurrence

S Adams Presid^{t}

Treasurer's Bill About Statements.

To the Honorable the House of Representatives

The Treasurer asks leave to lay on the Table agreeable to an order of the Honorable House a State of Balances due from perticular Towns, Collectors, and Sheriffs on N° 1, 2, 3, 4 & N° 5 Taxes from the Counties of York, Dukes County, Nantucket, Worcester, Cumberland, Lincoln and Berkshire which with the Books of Balances due on Taxes already exhibited compleats the whole State of the Taxes up to the first day of October 1787

and is with Respect

Your Honors Obedient Humble Serv^{t}

Alex Hodgdon Treas^{r}

Treasury Office 16 Nov^{r} 1787

Superscribed: Honorable James Warren Esq^{r} Speaker of the House of Representatives.

Petition of Jabez Jones & William Cobb.

To the Honorable Court of General Sessions now holden at Portland in and for the County of Cumberland —

The Petition of Jabez Jones and William Cobb (being a Committee of the Proprietors of a Bridge now erecting over Pesumpscot River in Falmouth — humbly sheweth —

That your Honors Petitioners having for a long time viewed the difficulty of Business being carried on between the Eastern and Western Part of the County — and the great disadvantage of Travellers crossing a Ferry which at present every Person travelling the Great County Road either Eastward or Westward is obliged to do, excepting they travel as much as four miles further in a very bad Road. Taking the foregoing difficulties into consideration — your Honors Petitioners have provided Materials for and nearly compleated a Bridge over said River near the Place where the old Bridge formerly stood — which Place we think the best for the good of the County in general — and have rated the Timber Work &c as low as possible We therefore humbly beg that your Honors would take our Petition under your consideration and allow us such reasonable compensation for said Bridge as you in your Wisdom may think proper: and receive said Bridge for the Benefit of the County — And your Petitioners as in duty bound will ever pray —

Jabez Jones, W^m^ Cobb }
Committee of Proprietors of s^d^ Bridge

Falm^e^ Oct 30, 1787

At a Court of General Sessions of the Peace for the County of Cumberland begun and holden at Portland in said County on the last Tuesday of October A. D. 1787 —

The foregoing Petition is read and committed to Justice Lewis — who reports thereon as follows — viz "That he views the Bridge mentioned therein to be of public Utility but as this Court has no Authority to comply with the Prayer of said Petition — Therefore advise the Petitioners to apply to the General Court for Relief" Which Report is accepted by the Court —

A true Copy

Attest Sam^l^ Freeman Cler

To the Honorable Senate and the Honorable House of Representatives of the Commonwealth of Massachusetts in General Court assembled —

The Petition of Jabez Jones and William Cobb a Committee of the Proprietors of a Bridge now building over Pesumpscott River — humbly shews

That at the Court of General Sessions of the Peace for the County of Cumberland which was begun and holden at Portland in said County on the last Tuesday of October last they presented a Petition — praying the said Court to make compensation for said Bridge and receive the same for the benefit of the County — but the said Court judging they had no authority to grant the Prayer of said Petition advised your Petitioners to apply to this Honorable Court as by the said Petition & Order thereon a Copy whereof is hereunto annexed, will appear —

Your Petitioners therefore humbly pray that your Honors would take the subject matter of said Petition into consideration — and pass such order on the same as will answer the wishes of your Petitioners, either by granting the Request thereof or improveing and directing the said Court of Gen[l] Sessions to grant it — or as your Honors shall judge best — And as in duty bound will pray

Jabez Jones, W[m] Cobb

Re: Laying out of Roads in Lincoln County.

Nov[r] 19, 1787.

The report of the Committee appointed to consider the report of General Lincoln and others relative to laying out roads in the County of Lincoln — read and recommitted, and the Committee are directed to make further enquiry as to the

expediency of laying out the road from Kennebeck River to the line of the State of New Hampshire — also to make an estimate of the expence that will probably attend the cutting of the said roads respectively mentioned in the said report —

Resolve on Jabez Jones & W^m^ Cobbs petition.

Commonwealth of Massachusetts

In Senate Nov^r^ 17^th^ 1787

On the Petition of Jabez Jones & W^m^ Cobb

Resolved that the Justices of the Court of General Sessions of the Peace of the County of Cumberland be, and they are hereby empowered to order, if they shall judge the same to be just & equitable at their Sessions on the last Tuesday of May next, that the expence of the Bridge lately erected over Presumpscut River on the County road leading through Falmouth to North Yarmouth, shall be assessed on the Polls & Estates of the Inhabitants of the said County

Sent down for concurrence

S Adams Presid^t^

In the House of Representatives Novemb^r^ 20^th^ 1787

Read and Non-concurred —

I Warren Spk^r^

Petitions Ordering the Treasurer to stay Execution against the town of Union.

Commonwealth of Massachusetts

In the House of Representatives Nov 13^th^ 1787

On the petition of Jonathan Amory in behalf of the Town of Union—

Resolved that the Treasurer of this Common Wealth be and he is hereby directed to stay the sending his execution against the Town of Union until the first day of June next any former order to the contrary notwithstanding

Sent up for Concurrence

I Warren Spk^r^

In Senate Nov^r^ 21^st^ 1787 —
Read & Nonconcurred

S Adams Presid^t^

Petition of Josiah Reed.

To the Hon^ble^ Senate & House of Representatives of the Commonwealth of Massachusetts —

The Petition of Josiah Reed of Douglass in the County of Worcester, Humbly Sheweth your Hon^rs^ That I am a proprietor in the Town of Union in the County of Lincoln.— I am acquainted in said Town and with the Inhabitants thereof — That there was not one family in the said Town of Union till the year Seventeen Hundred & Seventy five & by reason of the late war that Settlement was greatly retarded — There is now but about Thirty families in Union and the chief of them in very Low Circumstances — they are taxed in Tax N° 5 Sixty five pounds and are verry unable to pay the same Suddenly and I believe it is the verry first Instance in this Commonwealth of any Town or plantation being Taxed under similar Circumstances — Therefore your petitioner prays this Hon^ble^ Court would be pleased to direct the Treasurer not to send an Execution against the Collector of the Town of Union untill the further order of the General Court, and as in duty bound will Ever pray —

Josiah Reed

Boston Oct^r^ 26, 1787 —

Petition of Jonathan Amory.

To the Honble Senate & House of Representatives of the Commonwealth of Massachusetts

The Petition of Jonathan Amory of Boston in the County of Suffolk — Humbly Sheweth That your Petitioner is a Proprietor in the Town of Union in the County of Lincoln, that he is informed that s^d^ Town is taxed in Tax N° 5 — Sixty five pounds — that there was not one family in s^d^ Town till the year Seventeen hundred & seventy five, & by reason of the late war that Settlement was greatly retarded — that there is now about thirty familis in s^d^ Town, the chief of whom in very low Circumstances — that they are very much unable to pay s^d^ Tax — & He humbly conceives that it is the first Instance in this Commonwealth of any Town or plantation being Taxed under similar Circumstances. Therefore your Petitioner prays this Honble Court would be pleased to direct the Treasurer not to send an Execution against the Collector of the Town of Union untill the further order of the General Court & as in duty bound will ever pray.

Jon^a^ Amory

Boston 27 Oct^r^ 1787

Petition of John Taylor.

To the Hon^ble^ Senate and House of Representatives of the Commonwealth of Massachusetts

The Petition of John Taylor of Douglass in the County of Worcester Humbly Sheweth your Hon^rs^ that I am a proprietor in the Town of Union in the County of Lincoln — I am Acquainted in Said Town and with the Inhabitants thereof — that there was not one family in the said Town of Union till the Year Seventeen hundred and Seventy five and by reason of the late War that Settlement Was greatly retarded —

There is now but about Thirty families in Union and the Chief of them in very low Circumstances — they are taxed in tax N° 5 Sixty five pounds and are very Unable to pay the same Suddenly and I Believe it is the Very first Instance in this Commonwealth of any Town or plantation being Taxed under Simelar Circumstances — Therefore your Petitioner prays this Hon^{ble} Court would be pleased to Direct the Treasurer not to send an Execution against the Collector of the Town of Union untill the further order of the General Court and as in Duty bound Will Ever pray

John Taylor

Boston Nov^{r} 1 — 1787

Petition of Noah Parker.

Commonwealth of Massachusetts

In the House of Representatives October 26, 1786

On the petition of Noah Parker praying for an Allowance for a Recept signed by Henry Gardner Esq^{r} Treasurer of the Commonwealth of Massachusetts of the Sum of Thirty two pounds Seventeen Shillings and Eight pence Dated Feb^{y} 1782 which the said Parker is not credited for in said Treasurers Booke which the said parker hath made Oath that he had and is since Lost as is set forth in his petition —

Resolved that the Treasurer be and is hereby directed to credit the said Noah Parker a deficient Collector for the Town of Kittery for the year 1781 on the new Emission Tax the sum of Thirty two pounds Seventeen shillings & /8^{a} which said Sum is to be deducted from the Execution Issued against said parker for the deficiency of the said New Emission Tax in full for the said Recp^{t} so lost

Sent up for concurrence

Artemas Ward Speaker

In Senate Nov^{r} 21st 1787.

Memorial of Noah Parker.

To the honorable the Senate and the Honora[le] House of Representatives of the Commonwealth of Massachusetts in General Court assembled

Humbly Shews

Noah Parker of Kittery in the County of York, and one of the Collectors of Taxes for the said Town of Kittery for the year 1781 — That in Pursuance of his Duty as a Collector aforesaid he Collected a Tax for the Redemption of the New Emission Money so called, in New Emission Money at the Rate of one & Seven Eighths — and p[r] — Transmitted the same at Six Several Times to the Treasurers office, and had the Treasurers Receipts therefor That the said Six Several Receipts amounted to the Whole of the said Rate Lyst — except about 40[s]/ — That the said Receipts were placed together in a Wrapper — That having the misfortune of loosing his Wife in the year 1785 The same Six Receipts & several other Valuable Papers of his are lost — That Execution from the Treasurer is Issued against him for a Considerable deficiency on the said Tax — That upon examining into the matter at the Treasurers office, he doth not find any Credit given him in the late Treasurer Gardners Books for one of the Sums for which he had Receipts, and paid as aforesaid, and as The Receipts afors[d] is lost, he is acquainted by the present Treasurer, that he can have no Relief but from your honour — Wherefore he prays your Honours Would take his case into your Wise Consideration and grant him that Relief in the Premises, that the Equity thereof, in his humble Opinion requires, and as in duty Bound your Petitioner Humbly prays.

Noah Parker

A true List of the furst Money Tax of 1781 Collected and Sent to the Treasurer by me Noah Parker by the hands of the after Named —

Sept^{r} 1781 by Edward Cutts Esq^{r} 64 — 15 — 0, Dec^{r} 1781 by Tobias Furneld 120 — 11 — 8 Feb^{y} 1782 — by the Post Nobel 32 — 17 — 8, Apr^{l} 1782 — by Edward Cutts Esq^{r} 57 — 12 — 0, Sep^{r} 1782 by John Frost esq. 34 — 11 — 2, Jen^{y} 1783 by Thomas H. Lewis 22—4—9 Total 332 .. 12 .. 3

the above is a trew List

p^{r} Noah Parker

York ss Oct^{r} 2th 1786

then the above Nam^{d} Noah Parker Personally appeard and made Solom oath that he paid the Several Sums above into the treas^{r} and had Recits for the Same but now they are lost

Sworn before

Edw^{d} Cutts Justice Peace

These may Certify whom it may Concern that we the Subscribers have Examined and do find that Noah Parker one of the Collectors of Taxes for the Town of Kittery for the year 1781 hath Compleated his Collections in the Tax for the Redemption of the New Emission Money so Called: within about forty shillings — furthermore that in the year 1785 he the said Noah having the misfortune of loosing his wife the said Noah Inform^{d} us that at or about said Time were lost Six Several Receipts obtaind from the Treasurers for the abovesaid Tax and from the Circumstances of his Family at that Time we Suppose the Information to be True

William Lewis,
Benj^{a} Parker,
Tho^{s} Hanscom,
Mark Adams

Selectmen of Kittery

I the Subscriber bing at Pothmoth Sum time In the Year 1782 with Noah Parker he then told me he was Going to Pay M^r^ Nobell the Post for Caring Sum money to boston for him that he the s^d^ Parker Sent to the Treasurer by him the s^d^ Nobell

Joel Fernald.

Action on Petition Noah Parker.

Commonwealth of Massachusetts

In Senate Nov 21^st^ 1787

On the Petition of Noah Parker praying for an allowance for a accept signed by Henry Gardner Esq. Treasurer of the Commonwealth of Massachusetts of the Sum of thirty two pounds Seventeen Shillings and Eight pence Dated Feb^y^ 1782 which the said Parker is not credited for in said Treasurers Book which the said Parker hath made Oath that he hath had and is since lost as is fully set forth in said Petition

Resolved that the treasurer of this Commonwealth be and hereby is directed to order the said Noah Parker a Deficient Collector of the Town of Kittery for Anno Domini 1781 on the new emission Tax the sum of thirty two pounds, seventeen shillings and eight pence (which sum is to be deducted from the Execution issued against the said Parker for the said new emission Tax) for the Receipt so lost as aforesaid

Not accepted

Re: Waldo Claim.

Commonwealth of Massachusetts

In the House of Representatives Novem 20^th^ 1787

Whereas the General Court by a Resolve of the 4^th^ Day of July 1785 confirmed to the Heirs of the late Brigadier General Waldo and others interested in the Grant to Beauchamp

and Leverett, a Tract of Land, equal to a Tract thirty Miles Square, agreably to certain Bounds therein referred to, provided the same did not interfere with any prior Grant And Whereas from an Actual Survey of the Patent in pursuance of the aforesaid Resolve it now appears that the said Patent surveyed as aforesaid interferes with the Land of the Plymouth Company to the Amount of 39,088 Acres — Therefore

Resolved, that the said Thirty nine Thousand and eighty eight Acres be laid out & confirmed as a part of the said thirty Miles Square, on the North or head Line of the said patent as the same was seen by Cap^{t} Jonathan Stone September 1786 and bounded as follows — viz — begining on the North line of the said patent fifteen miles from Kennebec River thence, runing Northerly, by the plymouth Companys line, three miles and one hundred & twenty eight Rods — thence, East or parrallel with the North line of the first Range of Townships to Penobscot River — thence, down the said River to the North east Corner of the Patent surveyed as aforesaid — And the Committee on the subject of Unappropriated Lands in the County of Lincoln are to govern themselves accordingly —

Read and ordered that D^{r} Taylor & General Putnam with such as the hon. Senate may join be a Committee to consider the subject matter of the foregoing resolve —

Sent up for Concurrence

I Warren Spk^{r}

In Senate Nov^{r} 21, 1787

Read & Nonconcurred S Adams Presid^{t}

Protest of Henry Knox.

The protest of Henry Knox Esq^{r} agent on the Estate of the late Thomas Fleecker Esq^{r} appointed by this Commonwealth & representative of the heirs of the late Hannah

Fleecker deceased, of Samuel & Isaac Winslow (the younger) devices of the late Francis Waldo Esq^r and of Isaac Winslow Executor of the last will of Isaac Winslow Esq^r deceas'd representing the said heirs of said Isaac — Sets forth That for the purpose of ascertaining the bounds of the patent granted to Beauchamp & Leverett with the Commonwealth the aforesaid protesting persons (representing in their several capacities all the heirs of the late Brigadier General Waldo interested in the patent) did enter into a covenant with the Commonwealth the first of Novem^r 1785, under a heavy penalty in which covenant, it was expressly stipulated; that there should be confirm'd to the heirs of the late Brigadier Waldo & others interested in the patent granted to Beauchamp & Leverett a tract of Land equal to Thirty miles Square, they relinquishing all title to any other lands claim'd under the said patent than the said thirty miles Square; as by reference to the resolve of the hon° court on which this agreement was founded will fully appear — That the ground of said resolve Viz that an agreement entered into in 1762 by the then province and proprietors to grant them six miles in length on penobscot river at the head of the patent in consideration of their relinquishing all title to lands to the eastward of said river was not compleated — is a wrong position and the persons herein protesting are in fact in possession of the said grant fully executed — yet notwithstanding the parties hereby protesting were willing to have accepted a tract of thirty miles square and did join in the expence of running the lines by the persons appointed by the Commonwealth, which lines by an error in the Survey do not contain the quantity stipulated of thirty miles square (by 39,088 acres) meant to be confirm'd to the proprietors — and if submitted to, will subject the persons hereby protesting, to the claim of a certain body of men interested in the patent known by the name of the Ten proprietors and who being indemnified

by the heirs of Brig[a] Waldo as aforesaid, acceded to the agreement proposed by the hon° Court, which said body had their lands located in the patent and at the head of it where by the grant of 1762, they had a right to be placed — The persons making this protest having humbly petitioned to have the deficiency of the thirty miles square made up to them at the head of the patent have had the report of the Committee in their favor rejected by the hon[le] the Senate which they the protesters humbly conceive to be an infraction of the agreement of Novem[r] 1[st] 1785. and therefore are constrain'd to assert their legal right to the possession of the lands whereon the ten proprietors are located and which they are rightfully in possession of, the same being survey'd & set off to them in 1773 as by the plan hereto annex'd will appear — and therefore make this public Protest & cause it to be delivered — to the Committee of the hon° Court for Eastern lands to the end that all persons may be warn'd against purchasing and entering upon the lands so claimed & possess'd by the ten proprietors as the protesting persons are determin'd to defend them in this their legal possession in all the ways wherein property is guarded and defended in peaceable communities

Knox

Isaac Winslow jun for self and Sam[l] Winslow }
Isaac Winslow

Boston 22[d] Novem[r] 1788 —

Sen. 1787 #768

The Plan of Easterly bounds of land belonging to heirs of Samuel Waldo may be found in collection of Maps and Plans

Report of Committee on Roads and Action thereon.

The Committee appointed to consider what Measures are necessary to be taken to expidite the Sale & settlement of un-

appropriated lands in the Counties of York, Cumberland, and Lincoln taking into consideration the extent of territory the great difficulties for a want of Communication through the same in exploring the soil together with many other important considerations, are Clearly of opinion that it would Greatly facillitate the Sale of those lands to have a road opened from the line of New Hampshire to Passemaquady Bay and also a Road from Penobscott river to Kennebeck river and for that purpose ask leave to report the following Resolves —

Commonwealth of Massachusetts

In the House of Representatives Novem^{r} 1787

Resolved that there be Committees to survey, mark out and open a waggon road from Kenebec river near Fort Western, easterly to Penobscot river about one mile above the head of Orfan Island, thence easterly through part of N° one N° two & N° seven of the first division of Townships east of Penobscot river to the west Line of N° eight of the middle divisions of Townships three miles north of the south west Corner of the same thence east through the middle as near as may be of Townships N° eight nine ten eleven twelve & thirteen of the said middle division thence Easterly through number twenty three of the East division of Town ships thence through the northerly part of Machias to township N° thirteen thence easterly thro the same & part of township N° nine to the falls on Deneys River, thence as near as may be thro' the middle of townships N° two and one, to Passamaquoddy Bay, then to begin at the aforesaid Kennebec river near said Fort Western, and to run North Westerly thro' the plantation of Washington to Sandy river — thence westerly as near as may be on a line marked for a road by Dummer Sewal and others in the year 1782, to the boundary line between this Commonwealth and the State of New Hampshire

also another road from Penobscott river to Kenebec river, beginning at the mouth of Sowadabscock Stream from thence running west as near as may be thro' the middle of the first range of townships north of Waldo's patent to the river Sabasticook, from thence to Fort Halifax on Kenebeck river

And be it further Resolved that the whole expence, arising by surveying and clearing said roads; be defrayed & paid by the unappropriated Lands within the limits of that division where the same shall be, provided however, that the whole Charge shall in no case, exceed one Mile in Depth on one side of said Roads —

and it is further Resolved that the Committee who are or may be appointed in the Countyes of York Cumberland & Lincoln for the sale of unapropriated Lands, be & they are hereby authorized & impowered to Servey & open the Roads in their Respective districts Agreably to the foregoing Resolve.

Resolve — Unlocated lands.

Commonwealth of Massachusetts

In the House of Representatives Nov^{r} 21st 1787

Whereas it is of great importance to this Commonwealth that the Sale & Settlement of the unlocated Lands in the Counties of York, Cumberland and Lincoln should be expedited & encouraged, as thereby the public Debt may be lessened and the means of discharging it encreased by an encrease of the population & Wealth of these Counties —

Resolved, that the Committee hereafter to be appointed for the sale of public lands in the Counties aforesiad are hereby directed to compleat a plan or plans as soon as may be of all the located Lands in the Counties of York, Cumberland & Lincoln agreably to said Resolve and under the direction

of the said Committee the said Surveyor shall as far as practicable mark out the unlocated Lands, in the aforesaid Counties, into Townships or platts of six Miles Square — which Townships or platts shall be subdivided into lots of one mile Square

Resolved, that there be reserved in each Township four Lots of three hundred & twenty Acres each for public Uses Viz[t] one for the first settled Minister, one for the Use of the Ministry, One for the Use of Schools & one for the Use of public Education in general — .

Resolved that there be & hereby is appropriated to the building of a public Seminary of Learning upon such Conditions as the Legislature may hereafter direct, a Tract of Land of Six Miles Square, to be laid out Northerly of Waldo's Patent & as nearly central between the two Rivers Kennebec & Penobscot as a good Tract for the purpose may be found —

Resolved, that any of the Land belonging to this Commonwealth in the Counties aforesaid may be sold to any Foreigner or Foreigners who shall contract to settle thereon, within three years from the purchase, one Family to each Mile Square of Land — and Twelve Months residence if any Foreigner on said Land shall entitle him to all the priviledges of a Natural born Subject of this Commonwealth, on his taking the Oath of Allegiance thereto — any Laws or Resolves to the contrary notwithstanding —

Resolved, that each Settler, who settled on any Land belonging to this Commonwealth, before the first Day of January, 1784 — and shall pay the Committee aforesaid for the Use of this Commonwealth, five Spanish Milled Dollars, shall receive from them a Certificate of the payment thereof, which, shall entitle such settler, his Heirs or Assigns, to One Hundred Acres of Land, to be laid out, so as to include his Improvements & least detriment the adjoining land —

Resolved that with such as the honble Senate may join be a Committee for the sale of the lands in the Counties aforesaid — any two of whom may make sale of the Lands & execute Deeds thereof — & that they be allowed Two p^{r} Cent Commissions on the Sales for their Trouble

Resolved that the Committee aforesaid be & they are hereby authorized to sell the Lands in such a manner & to appoint such Agents under them for that purpose in the several Counties — as may be most for the Interest of the Commonwealth provided that none of said Lands be sold for less than two shillings p^{r} acre in the Consolidated Notes of this Commonwealth, if sold in Townships or Tracts of Six Miles Square, nor less than three shillings p^{r} acre if sold in smaller Tracts

Re: Petition of Sam^{l} M^{c}Cobb.

The Commonwealth of Massachusetts

In the House of Representatives Nov^{r} 19th 1787

On the Petition of Samuel M^{c}Cobb praying for a rehearing in a certain cause in which the said Samuel was Plaintiff and one John Rogers was Defend^{t}

Resolved that the said Samuel M^{c}Cobb notify the said Rogers by leaving at his dwelling House an attested Copy of the said Petition and this order thereon thirty days at least before the third Wednesday of the next sitting of the General Court in order that he the said Rogers may then appear and shew cause if any he has, why the prayer of the said Petition should not be granted and that No Execution consequent upon the judgment recovered by the said Rogers against the petitioner be issued, and if any such execution has already issued upon the said judgment that the same be stayed

Sent up for concurrence

I Warren Spk^{r}

In Senate November 22^{d} 1787

Read and noncurred S Adams Presid^{t}

Petition of Samuel M^c^Cobb.

Commonwealth of Massachusetts
To the Honourable Senate and House of Representatives of said Commonwealth in General Court assembled —

The Petition of Samuel M^c^Cobb, Humbly sheweth,

That your Petitioner commenced against one John Rogers an action upon his account tryable at a Court of Common pleas, holden at Pownalborough in the County of Lincoln on the last Tuesday of September 1786 — That the said Rogers filed in his account against the Plaintiffs demand, & after sundry continuances the cause was refferred to three Persons, before whom the Parties had a hearing in August last but by improper evidence fraudulently & correctly admited by the Refferrees they adjudged the Ptt to pay the Defendant a considerable sum of money, which is not due to him upon any principal of equity or justice: Your Petitioner therefore prays your Honors relief in the matter and that the report of the Refferrees may be set aside and your Petitioner may be indulged with a new tryal. and Your Petitioner will ever pray &c

Sam^l^ M^c^Cobb

Certificate of Wm. Lithgow.

This may certify that I well remember that Samuel M^c^-Cobb Esq^r^ brought an action against one John Rogers at the Court of Common Pleas in the County of Lincoln, in the year 1786 — that Rogers filed in an Account by way of ballance to the Plaintiffs demand — that the cause which was referred to three Persons came to a hearing last August, when it appeared that part of the said Roger's demand was

for a quantity of boards which the said M°Cobb had received & purchased of other Persons and the demand for the same board after the action was commenced, was transferred by the creditors of M^r M°Cobb to the said Rogers and as M°Cobb suggests by the influence and collusion of one of the Refferrees — that M°Cobb objected to the admission of that part of the defendents demand before the Refferrees but they over-ruled the objection & admitted the demand — that M°Cobb supposes this conduct was fraudulent and partial on the part of the Refferrees as he says he carefully proved that previous to the said hearing one of the Refferrees asserted that he the said M°Cobb would certainly loose the cause and ought to loose it — that the said Refferrees reported that M°Cobb should pay Rogers a sum of money which including the costs amounted (I think) to about £15 .. & that the said report has been accepted & judgment rendered thereon

W^m Lithgow Jun^r

Land Lottery Bill.

Commonwealth of Massachusetts

In the Year of our Lord, One thousand seven hundred & eighty seven

An Act — in Addition to an Act entitled "an Act to bring into the public Treasury, The Sum of One hundred & Sixty three thousand & two hundred pounds in public Securities by a Sale of a part of the Eastern Lands & to establish a Lottery for that purpose

Whereas on the drawing of the said Lottery, there remained two Thousand two hundred & eighty three Tickets unsold, which became the property of this Commonwealth and

the Sale of which, if continued, there is reason to believe will be greater than has hitherto been made, as the present State of the Lottery is more favourable to Adventurers, than at the first establishing thereof, & whereas it will be for the Interest of the Commonwealth & of those who have already been adventurous to continue the Sale

Be it enacted by the Senate & House of Representatives in General Court assembled & by the Authority of the same — That the Secretary deliver to the Managers the Tickets lodged with him — & that they continue the sale thereof agreably to the Act to which this is an Addition, until the third Wednesday in October next, when they shall commence drawing the Tickets which may be sold & those which may then remain unsold — they shall previous to the drawing deposit in the Treasurers Office with a list of their Numbers respectively —

And to encourage the Sale of the Tickets & settlement of the Land

Be it enacted by the Authority aforesaid, That, if any Adventurer shall draw Prizes in different Townships, he shall have leave to exchange a part of the Lots he may draw for others, so as that the Quantity drawn may lay together — & those who have already drawn Lots & may hereafter become adventurers, shall have leave to exchange the Lots they may draw for others adjoining to those they have already drawn, provided the said Lots shall not be drawn by other Adventurers but remain the property of this Commonwealth — & they shall apply to make the Exchange within three months from the drawing of the Lottery

In Senate March 17, 1788

This Bill having had two several readings passed to be engrossed —

Sent down for concurrence

S Adams Presid^{t}

In the House of Representatives March 20, 1788

This Bill having had two several Readings the question was put whether a time should be assigned for the third Reading thereof, and passed in the negative

I Warren Spk^r

Committees to visit towns, in re Resolve for methodizing Accounts.

Commonwealth of Massachusetts

In the House of Representatives Nov 22^d 1787

Resolved that there be a Committee appointed to Repair to the several Towns that appear to be Delinquent in Returning there Vouchers Receipts or other Evidence of Bounties and other Expences by Classes or Individuals, with the Resolve of the General Court, (Published by the Committee for Methodizing Public accounts on the fifth of November 1787) Requesting them to Exhibit there accounts to the Committee aforesaid to Enable them to Charge the same to the United States and that be a Committee to Call on the Delinquent Towns in Suffolk and be a Committee to Repair to the Towns in Essex County and be a Committee to Call on Towns in Middlesex and be a Committee to Call on Town in Hampshire and be a Committee to Call on Towns in Plimouth and be a Committee to Call on Towns in Bristol and be a Committee to Call on Towns of Barnstable and be a Committee to Call on Towns in Worcester and be a Committee to Call on the County of York and be a Committee to Call the Town of Lincoln and be a Committee to Call on the Towns in Berkshire and the

Committees aforesaid are Directed to Repair to the Delinquant Towns in there Districts with the Resolves Published as aforesaid and Request there Compliance with the said Resolves and if the Selectmen Neglect or Refuse to make out and Exhibit the accounts to the Committee aforesaid

Resolve for Discharging the Committee for sale of Eastern Lands.

Commonwealth of Massachusetts

In the House of Representatives Novem^{r}, 24, 1787

Whereas two of the Committee on the subject of eastern lands belonging to this Commonwealth have resigned, and it will be inconvenient for the remainder of said committee to proceed further in the business of their appointment; therefore

Resolved,

That the Committee on the subject of the Eastern lands belonging to this Commonwealth, appointed the 28th day of October 1783, be, and they hereby are discharged from any further attention to the business aforesaid.

Nov 24, 1787

Ordered that D^{r} Taylor M^{r} Clarke & D^{r} Manning be a Committee to consider the propriety of Discharging the Com^{tee} for sale of the Eastern Lands & report

Petition of Penobscot

Commonwealth Massachusetts

The Honorable the Senate and House of Representatives in General Court Assembled —

The Memorial and Petition of us the Subscribers Inhabitants Setlers on a Plantation Called and Known by the name of New Worcester in the County of Lincoln Humbly Sheweth

That your Memorialists being setled on that Tract of Land Which Was Sold and Deeded by Government to Moses Knap Esq^{r} and his associates and by that Means Brought into Grate Difficulty; beg your Honours Indulgance Whilst we enter into the Merits of it. We Would Remind your Honours that we are Sensible of our Neglect in Not Makeing application for the Lands before it was sold. We Would Remind your Honours that the Lands Whereon We are Settled Were not advertised Among us that we Never had Notes that the Lands were Notified for sail untill they ware sold we Cannot Conceive, we Are allone to blame; the Lands aught to have been Notified among us which Was not Done Which we also Conceive A Neglect —

We would Remind your Honours that your Petitioners have been at Grate Expence in sending agents to Setle in our behalf (Viz) John Brewer & Simeon Fowler) to Contract and setle With your Honours Committee on the subject of unappropriated Lands in s^{d} County and s^{d} Brewer and Fowler Ware under the Necessity of Comeing into an agreement with Moses Knap Esq^{r} and his associates Bareing Date 22^{d} of March 1786 and also by a Resolve of the General Court Bareing Date 23 of March 1786 wherein s^{d} Brewer & Fowler in Behalf of them Selves and your Petitioner ware oblige to Give their security to the Treasurer of this Commonwealth for the Payment of £3000 in the Consolodated Notes of this Government to obtain the Lands whareon your Petitioners ware setled Which was the best Terms Could be obtained at that Time.

We Would further Remind your Honours we have Seen and Considered the Deed Given by your Honours Committee to s^{d} Brewer & Fowler in Consequence of that Resolve Wherein we are oblige to Pay So Large a Sum for our Land.

With great Difference we Look upon it that we are oblige to Pay So Large a Sum as one Thousand Pounds in specie

when at the Same time other Setlers Where Setlements have been made under the Proprietors:

(Viz) Jonathan Eddy Esq^{r} BucksTown N° 2 and N°3 Now Penobscot; are oblig to Pay but thirty Shillings Specie for Eich Hundred acres — Where Seperate Improvements have been made; and your Petitioners are oblige by s^{d} Deed to Pay; sum five Pounds; in specie and others fourteen Pounds thirteen shillings & six Pence for Eich Hundred Acres he shall Hold

We Would Remind your Honours that we are all Poor and hard Put to it for a subsistance for our famileys by Reason of the Newness of the Country and the Scarcity of Money that If we are oblige to Pay for our Lands according to the Deed our families Must Come to Want and the Settlement be brooken up.

Therefore your Petitioners Humbly Pray your Honours Would take This our Verry Great Grievance into your Wise Consideration and Grant us Releaf by Relinquishing So much of the obligation Given by our Agents to the Treasurer of this Commonwealth as will set us on a footing With Setlers of the Townships before Mentioned and your Petitioners as in Dutie Bound Will Ever Pray

New Worcester on Penobscot River the 7 Jen^{r} 1788

James Ginn,	John Rider,
Joseph Baker,	John Rider Juner,
Benjamin Snow,	John Thoms,
Ephraim Downs,	William Thoms,
Oliv^{r} Doane,	Thomas Campbell,
Jesse Attwood,	Bryant Bradley,
George Brooks,	Joseph Mansell,
Peter Sangster,	John Mansell,
Moses Rogers,	Emerson Orcutt,
Solomon Sweat,	George Gardner,
Samuel Wiswell,	Solomon Harthorn,

David Wiswell,
Thomas Dean,
John Tibbets,
John Hutchins,
John Emery,
Henry Kenney,
John Holyoke,
Andrew Mayhew,
Robart Treat,
Ebenezer Whiddon,
Robert M^{c}Cordey,
James Shirley,
Thomas Smith,
Moses Wentworth,
Asa Downs,
Nathaniel Gould

Bound^{s} of the Town of New Gloucester.

Pursuant to a Resolve of the General Court passed November twentieth one thousand seven hundred and eighty seven we herein Exhibit the Boundaries of the Town of New Gloucester as the same were fixed upon by a Committee of the General Court in November, one thousand seven hundred and sixty two, and as the same were again Confirmed by the Incorporation of the Town on the eighth day of March, one thousand seven hundred and seventy four, which is as follows viz Beginning at a Stake and heap of stones in North Yarmouth back line (seven miles and twenty six rods from the most westerly corner of North Yarmouth) in the most easterly corner of the plantation formerly called new Boston, now called Gray, and from thence upon Northyarmouth back line Northeast to the extent of it, and the same course continued beyond it untill the measure of four miles & a half and thirty eight rods in the whole is compleated, to a Beach tree marked the course North thirty three Degrees and forty five minutes West, with an heap of Stones about it, Also from said Stake and heap of stones North forty five degrees west seven miles and a half (by the nedle) thence North forty five degrees East by the needle untill a line North thirty three

degrees and forty five minutes West from the aforesaid Beach-tree intersects it.

We would Inform that the before mentioned Committee, Did not actually run the hed line from the Westerly Corner & therefore the northerly corner was not made by them, but it was run about three years ago by order of the Courts Committee for the sale of lands in the County of Cumberland — who ordered it to be run paralel with the foot line which is found by the variation of the Compass to be Noth forty three drees East in stead of Notheast & the line was run Accordingly & the northerly Corner made to their & our satisfaction. And M^{r} Titcomb who is serveyer for the Courts Committee for the sale of Eastern — ran & measured upon the same line and allowed it to be right last fall. But M^{r} Allexander Shepherd jun^{r} is striving to bring his Grant as low down as he can and therefore is aiming to have the said head line run Noatheast by the needle without making the two degrees allowance for the variation which will cut us short in our measure, and which we shall dispute as we judge we have a right to the same course at the hed for Notheast that we are obliged to take at the foot.

We have not heard any Dispute about the Bounds of the Town since the year 1762 only relating to the running of the aforesaid hed line.—

Isaac Parsons, Simon Noyes, Eben^{r} Mason	Committee of the Property of said town.
Nath^{l} Eveleth, Sam^{l} Pearse, John Merrill	Selectmen of said New Gloucester

New Gloucester, Jenuary 25th 1788.

To be laid before the General Court or their Committee on the second wednesday of the next setting of said Court.

Canaan Petition for Abatement of Taxes.

To the Senate & House of Representatives in General Court assembled

The petition of the Inhabitants of Canaan Plantation—

Humbly Sheweth

That your petitioners have often represented to this honourable Court their poverty & utter inability to pay the various tax bills the Court has sent them, & have as often prayed for a release from them and exemption from future taxes, till we Shall be able to pay. We have also as often laid before this Court a large Statement of facts which demonstrate our inability to pay, which we are sure were there a Committee from the Court on the Spot, the could not but be convinced of the truth of. But being loth to take up the time of the Court with a repetition of those facts, we have put a Statement of them into the hand of our agent to exhibit, if the Court will indulge him therein. We have rested our whole plea for a discharge from taxes hitherto, on our inability, wishing rather to act as Suppliants than to plead the bill of rights. We wish to rest the matter Still on the same principle, and earnestly Sollicit Compassion, as the demanding said taxes, would utterly brake up this plantation.

That in 1783 executions were issued against us, but on application to the Court, they were Stayed — that in 1785 they were issued again for the same bill on a general order of the Court; but were again recalled, as being issued beside the intention of the Court — that in 1787, they were again, by a like general resolve, issued, & were served on us a few weeks ago, & we put to great Charge & Costs; & we Suppose by a like error,

We therefore pray this hon^{ble} Court to Compassionate our case, & grant us a final discharge from the former bills sent us, & an exemption from future taxes till we Shall be able to

pay, or at least make large abatements in them, & order the remainder to be laid out in making & mending the roads & bridges in this place, & other necessary publick charges.

And your petitioner as in duty bound Shall ever pray

Nath[l] Whitaker, John White,
Sol[n] Clark, William Steward
Peter Heywood,
} Com[tee] for Canaan

Dated Canaan February the 4 - 1788

In re Township No. 6.

At a Meeting of the Proprietors of the Township N° six lying in the County of Lincoln at the Eastward of Mount Desart or Union River. holden at Portland Feb. 6. 1788

M[r] Peter Woodbury — Moderator

Voted

That an Agent be appointed to prefer a Petition to the General Court praying them to release said Proprietors from paying the Sum of £ 1250 required by their Resolve of the 21 June 1785 —

Samuel Freeman Esq. was accordingly chosen —

Voted. That a Committee be appointed to sign said Petition —

The Committee appointed were

M[r] John Armstrong, David Strout Esq Sam'l Freeman Esq.

Att Sam[l] Freeman Cler
Peter Woodbury Moderator

In re Township No. 4.

At a Meeting of the Proprietors of the Township N° four lying in the County of Lincoln at the Eastward of Union River holden at Portland on the sixth day of February A. D. 1788

Mr Peter Woodbury Moderator Voted. That an Agent be appointed to prefer a Petition to the General Court. praying them to release said Proprietor from payment of the sum of £2150 required by their Resolve of the 21 June 1785

Samuel Freeman Esq was accordingly chosen —

Voted — That a Committee be appointed to sign said Petition — The Committee appointed were Capt. Cary McLellan Mr George Deake, Mr Peter Woodbury

Att Saml Freeman Cler
Peter Woodbury Moderator

In re Township No. 5.

At a Meeting of the Proprietors of the Township N° five lying in the County of Lincoln at the Eastward of Union River, holden at Portland on the sixth day of February A. D. 1788

Mr Peter Woodbury Moderator

Voted — That an Agent be appointed to prefer a Petition to the General Court praying them to release said Proprietors from paying the Sum of £1250 required by their Resolve of the 21 June 1785

Samuel Freeman Esq was accordingly chosen —

Voted — That a Committee be appointed to sign said Petition — The Committee appointed were

David Strout Esq Messrs Peter Woodbury George Deake

Att Saml Freeman Cler
Peter Woodbury Moderator

Petition of Plantation of Norridgwalk.

To the Hourable Senate and house of Represetatives In General Court Assembled

The Petition of the Plantation of Norridgwalk Humbly Sheweth that whereas the Honoured Court we believe through

Miss information or for want of acquaintance with your Petitioners low Circumstances have Sent Several Tax-bils to this Plantation — which if the H^{d} Court fully understood your Petitioners poverty and the Disadvantages they labour under, in lue of Calling for taxes the Court would view their Petitioners with an Eye of grief and pitty as Misfortanate orphans.

Fatal Necessaty not Cureosity Brought the greatest part of the Inhabitants into this Cold Distant and uncultivated Wilderness, And the Small and unprofitable Beginnings we have made have been attend with almost Enuneduable Disadvantages — And while we have Viggarusly Exarted our Selve to the best purposes we Could under our Circumstances to Suppoart our Families altho but a poor and reched Subsistance we have gained suffering both hunger and Cold and we may say with great propryety we have been in the want of all things And since your Petitioners are Destitute of Money was Corn and grain as plenty as it is Scerce yet being Destitute of a Conveniant Road and the markets Being at such a masing Distance and likewise being obliged to make up of water carages and by reason of falls and the river in many places being very Reppid we are not only in Danger of loosing our Loading but our lives also by Carrying our grain to market.

If therefore your Petitioners are obliged to pay the taxes that have been sent for your Petit^{rs} must Immediately Quit their Habitation and flee again to the Berron Wood for Sheltre. —

Therefore your Petiti^{rs} Humbly pray the Honoured Court would grant your Petiti^{rs} the Privelage of Working out their rates in making Roads among them Selves and your Petitioners as in Duty Bound Shall Ever pray

John Heald, Seth Spaulding,
Thomas Heald, John Spaulding,
John Clarke, Will^{m} Spaulding,

Levi Procter,	Simon Peirce,
John Longley,	David Peirce,
Josiah Spaulding,	Calven Peirce,
Eleazer Spalding,	David Peirce jun^{r},
Obadiah Witherill,	Thom^{s} Whitcomb,
Zachariah Longuley,	Charles Whitcomb,
Josiah Warren	Josiah Heald,
Charles Witherell,	Luther Peirce,
Eleazer Spaulding jun^{r},	Amos Adams

This may Certify that M^{r} Isaac Russel is Imployed by the Inhabitents of Norridgwalk Plantation to go the Court at Boston upon the Business of geting the Plantation Incorporated — Attest John Clarke Clerk for S^{d} Norridgwalk Feb^{r} 6th 1788 — Plantation

Depositions in re Georgetown.

The depositions of John Stinson Esq^{r} and Captain John White of Georgetown declare, that they together with M^{r} Francis Wyman were Assessors for said Town for the Year 1781, and that neither they, nor the said Wyman to their knowledge ever received any tax act respecting the New Emission Tax, nor any authority for the assessing the same Tax upon the Inhabitants of said Town, nor do they recollect to have heard that the said Tax Act was ever received by any Person or Persons within or belonging to the same Town George Town Feb^{y} 9th 1788

John Stinson,
John White

Lincoln ss Feb^{y} 9th 1788 There personally appeared the above named John Stinson Esq. and Captain John White and

made Oath to the truth of the above Deposition by them subscribed before me

W^m^ Lithgow Jun. J Pacis

The deposition of Francis Wyman declares that he with the above named John Stinson Esq^r^ and Cap. John White was an assessor of Georgetown for the year 1781 and that he never received any Tax act for the new Emission Tax nor never knew of the said Tax act being in Town

Francis Wyman

Lincoln Ss May 13^th^ 1788 There personally appeard the above named Francis Wyman and made solemn oath that the above declaration by him subscribed is the truth & nothing but the truth before me

W^m^ Lithgow Jun^r^ Just pacis

Standish Feb 4, 1788

To the Honorable Senate and the Honorable House of Representatives

The Petition Gideon Philbrick Humbly Sheweth

That your Petitioner has ever made it his Endeavour to lead a Quiet Life as becomes a Peaceable Member of Society, nor has any Person ever Accused him of Offending against the Laws of his Country till Some Time in March last.— Your Petitioner being in company with one Edmund Mussey who was charged by a Sister of your Petitioner of being the Mother of the Child of which she was Pregnant and proposing to the s^d^ Mussey to Make up the Matter without any unnecessary Expence — The s^d^ Mussey instead of a Friendly composition treated your Petitioner as he conceived with the highest Degree of abuse — And Intimated that the Child when it shou'd Come might be a Black, with many other

expressions of Ignominy and Bitter Reproach — Altho at the same time he pretended not to Deny his being the Father of the Child.— Your Petitioner with the most unfeigned Sorrow humbly confesses that being Deeply wounded by the Dishonor Done to his Father's House and to his Sister in Perticular — your Petitioner did Say to the said Mussey in the Anguish of his Heart.— That if he wou'd take a Gun or Sword or Pistol and go into the Field one or the other should be Dispatched before we return.— Your Petitioner by no Means will Attempt to Justify — He is convinced that the Law is Just and good which forbids every kind of threatning Language and would even shudder at the thought of shedding the Blood of one of his Fellow Men He confesses himself utterly to blame for the words spoken — And is convinced that he never harboured such a thought for the space of one Minute.— And is resolved to guard for the future with the greatest attention not his Actions only but his Word also — And being encouraged to hope that those who Confess and forsake their Faults shall find Mercy — Earnestly prays the Honorable Legislature — That the Words Spoken may be forgiven and that he may be restored to the Favour and Friendship of his Fellow Citizens and your Petitioner as in Duty bound shall ever Pray

Gideon Philbrick

I the subscriber was present with Gideon Philbrick and Edmon Mussey some time in March last and heard s^{d} Philbrick propose to the s^{d} Mussey To make up respecting the charge of his sister against s^{d} Mussey as above mentioned. S^{d} Mussey did not pretend to deny his being the father of the Child but used many provoking Exasperations as that The child When it should come it might be a Black one and if the child should be a boy if he Would Not be in a passion perhaps he Would Call it after his unkel mening Gideon and other language after the same Purpose

And I heard the s[d] gideon tell s[d] mussey that if He Would tack a gun or Sword or pestol and go out Into the field one or the other Should be Dispatched before we return —

The Subscribers have lived With in one half Mile of s[d] Philbrick as much as 15 years and never heard of his offending any Parson either by Word or action in any one Instance Except the above

Simeon Sanborn

Cumberland Ss Feb 4, 1788.

Simeon Sanborn made Solemn oath to the above Declaration by him subscribed.

Before Me

Josiah Thacher Justice Pacis.

Cumberland Ss. Feb[y] 11[th] 1788

I do hereby certify that Gideon Philbrick of the Town of Standish in County of Cumberland sustains the Charecture of Moral and inafencive young man

John Deane Just Pacis

Standish February 4, 1788 —

We the Subscribers Inhabitants of the Town of Standish In the County of Cumberland Solemnly Declare that we have been accquainted with Gideon Philbrick of this Town for many years — And that we have ever esteemed him a Person of a Sober Inoffensive Peaceable and Regular Conduct and Conversation — That we know of no young Person Who Better Deserves the Character of a Good Member of Society — That we never knew or heard of his Quarreling with any Person; or using any Quarrelsom threatning or improper Language on any Occasion whatever unless what

has been said of a Dispute between him and Edmund Mussey in the affair of his Sister's charging said Mussey of being the Father of her child which s[d] Mussey has since Settled by a Reference and Supports the child —

David Richardson,
Moses Richardson,
Moses Tucker,
Thomas Cannel,
Jonathan Richardson,
John Yates,
Ebenezer Shaw,
James Moody,
James Hasty,
Josiah Shaw,
Caleb Rowe,
David Sanborn,
Jeremiah Sanborn,
Joseph Shaw,
Sargant Shaw,
Philip Cannell,
Daniel Harmon,
Charles Hall,
John Decker,
Joseph Butterfield,
Joshua Moody,
Silas Whetcomb,
Jonathan Lowell,
Ephraim Rowe,
Benjamin Swett,
Robert Rowe

Selectmen Vassalboro' Petition.

To the Honorable the Senate and house of Representatives in General Coart Assembled —

the Petition of Vassalborough in the County of Lincoln (by their select men) humbly sheweth that being strongly Agitated with an Idea of the impending difficulty that is shortly to overtake s[d] town in Consequence of a Verry heavy tax for our quota of Beef for the year 1783 to the amount of £235 :4 a Sum we are altogether unable to Pay & have always Nourish[d] a hope that we Should not have ben Called upon for it as many of our Neighbouring Towns more able then we have ben Exempted — our Local Situation; the Embarassments we were Perticularly Subjected to in the

Late War the Repeated Scouts we were oblig[d] to send out in our own Defence and at our own Expence all the time the Enemy were at Ponobscut were Circomstances that imbolden'd us to hope that we should have ben Exempted (at Least) as Soon as another — our Town is new our Roads intolerable our People Poor; Seven other Executions togeather with the Execution for the above named Sum we are now Strenuously Exerting ourselves to Pay we their fore Pray your Honors to abate the above mentioned Sum or otherwise Grant us Liberty to Lay it out on our Roads which have ben hitherto almost totally Neglected nor have we (as many other towns have done) Rec[d] any assistance from the Plymouth Comp[y] for that Purpose Notwithstanding they own nearly one half of the town and your Petitioners as in Duty bound shall Ever Pray &c

Obadiah Williams,
Dennes Getchel,
Ebenezer Moore
} Selectmen Vassalboro

Dated Vassalborough Feb[r] 8[th] 1788

Petition of Lewiston.

Commonwealth of Massachusetts }
To the honorable Senate and house of Representatives In General Court assembled

The Petition of the Subscribers in behalf of the Plantation of Lewiston humbly sheweth that, we conceive it was the intention of the Legislature, as appears by a resolve passed March 3. 1787 to abate all Taxes against said Plantation prior to the year 1784, but by some mistake or inattention of the Treasurer there is still charged against the Plantation the sum of one hundred and twenty Pounds — which we are at present unable to Pay

We therefore pray your honors to take the premises into your wise and Fatherly consideration, and abate the same to your dutifull & needy Petitioners, who as in duty bound will ever pray —

John Herrick,
John Larrabee,
John Daggett
} Committee of Lewiston

Lewiston Plantation Feb^{y} 12, 1788

Representation of the Comptroller General.

Commonwealth of Massachusetts February 20th 1788

To the Honorable the Senate & the Honorable the House of Representatives in General Court assembled —

The Comptroller General respectfully represents

That the Naval Office for the Port of Portland having become vacant, soon after the recess of the General Court by the death of Thomas Childs Esq, I appointed Mr Nathan^{l} Fadre Fosdick to discharge the Duties thereof until the Legislature shall confirm him or appoint another in his stead.

I represented to your Honours, the last Sessions, that the Office of Collector of Impost & Excise was vacant, M^{r} James Avery whom you appointed thereto in June last having declined serving, as the vacancy was not filled up by your Honors, I appointed M^{r} Richard Hunnewell of Penobscot to the Office —

I am informed by the Collector of the Port of Boston that there are many Bonds in the office which were given to secure the Impost on Goods imported into this State, but owned by Citizens of other States, as those Goods were exported to the States where the Owners lived, a petition was presented to the Legislature that the Bonds might be given up, but the

Consideration of this Petition being referred over to another Session and Provision being made in the last Import Act that Goods in the like predicament should be exempted from Impost, it is presumed, that the Legislature did not design those Bonds should operate against the Obligers, and if so, is it not expedient that a Resolve be passed for their being cancelled on satisfactory Proof that the Goods were exported & landed in some other State? —

By the present Excise Act, Excised Articles exported are to be bonded, but as in some cases the legal Proofs for cancelling the Bonds cannot be obtained, although other ample proof may be produced of the Goods being landed to be consumed out of this Commonwealth, and as to insist on the legal proof, would, in all such Cases, be to prohibit exportation the expediency of making some provision to remove the difficulty is respectfully suggested —

It being, I humbly conceive the Wish of the Legislature to secure the Revenue by preventing, rather than to increase it by detecting, the Crime of Smugling. I beg leave to mention the necessity of appropriating so much of the Seizure to the informer & Seizing Officer as shall induce a vigilance in detecting of Frauds.

As it is the Duty of the Comptroller, on the one hand, to point out such Alteration in the Acts as shall most effectually secure the Revenue, so it being equally, as I conceive, his duty to shew, on the other hand, where the Subject is unnecessarily burthened, I beg leave to represent, that as the Act at present stands, the Importer of excised Articles is to give Bond, previous to the unlading of the Goods, which is to be cancelled by an Excise Bond to be given when the Goods are weighed & gauged; and he is also in three months from the date of his Excise Bond to pay the Excise on produce Certificates for what he may have disposed of to execute the Law, according

to the letter of it, is attended with great trouble & inconvenience to the importer — it would relieve him & the Revenue be more effectually secured, if he was obliged to sign the Weigher & Gaugers Book & to account at stated quarterly periods —

All which is humbly submitted

Leo Jarvis Comp Gen

Petition of Raymondstown.

The Hon^{ble} Senate and House of Representatives in General Court Assembled

The Petition of the Plantation of Raymondstown in the County of Cumberland, begs leave to shew, that on, or about the latter end of May last we received a Resolve of the Gen Court of the Commonwealth of Massachusetts Dated February 27th 1787, authorising & Directing us that some time in the Months of March or April next proceeding to proceed to choose assessors & Quallify them according to Law to take a Valuation of the Polls & Ratable property in said Plantation upon the Systim of the Last establish'd Schedules in Said Commonwealth, we beg leave further to Notice that although the time was expired in which our Authority depended before we Received said Resolve, and after advising with such persons as we thought was best able to direct us in the Matter was advised notwithstanding to Call a Meeting of Said Plantation & proceed as is directed in said Resolve In Consequence of which the Said Plantation duly assembled & Elected three Suitable persons as assessors who after being duly quallify'd proceeded to take a Valuation of Said Plantation according to the Requisition of Said resolve, which we, (Together with this petition) beg Leave to present — We beg leave further to Notice that we feel Conscious that we

cannot be justified in our proceedings with refference to the time appointed in said resolve as is before noticed, which has been the Occasion of the Delay in our returns; neither should we attempted it under Such circumstances, did not we conceive that y^e^ state of our affairs demanded an Immediate attention thereunto, & the good of the commonwealth require it — With refferance to the Statement of our Small Valuation List we suppose in some Instances we Appear Inconsistant. Our Mowing Land Inadequate Is our Stock, in which case we beg leave to reply, that we are necessitated to purchase a supply of that article of the neighbouring Towns another Instance perhaps in Our dwelling houses In which we beg leave to Inform the Hon^ble^ Court that our places in which we dwell are chiefly Hutts built with round logs, & but one within the plantation that can with propriety be said to be called a House or to the Value of five pound — as to wood Land we entred upon our List we would further Notice that as we have No Market for our Wood that article cannot be of any Value as we are Obliged to burn it on our Land as we Clear it —

We beg leave to further Shew that we Understand that the Said Valluation is Intended to discover to the Hon^ble^ Court the Circumstances & abillity of the said plantation to Answer the previous demands of Government which stands against us as well as future. In which Valuation the Hon^ble^ Court will observe the State of Individual Interests and be able to Judge of their circumstances and how far it is possible that may be Able from their Small Incomes to contribute towards the defreying of the public charges, especially when it is Considered the Inconveniences the Plantation is attended with in regard to Its Uncultivated State & Infancy. Our Soil is but Indifferent & produces but Little when Manured to the best in consequence of which the Inhabitants are Necessitated to buy the Greater part of Our Provision, we

are so remote, & our roads so bad that it is with the Greatest difficulty we can get to market, our Lumber which is our Staple commodity of commerse is so Low that it will not pay for the Transportation —we therefore conceive that when our real abillities and Circumstances are duly weighed it will evidently Appear that It must be Impossible for us to pay the demands without reducing the Inhabitants to the Necessity of parting with all the Movable property they are possessed off & perhaps drvien to seek a Living in some Other part of the world — we feell ourselves willing & ready to Impart our Share at all times to the Support of Government whenever the necessities of our families will any way admit, we therefore Humbly Submit these considerations to the Hon^{ble} Court, declaring at the Same time that what is here presented is as near our circumstances as we are able to relate hoping that such attention will be had thereon & that the Hon^{ble} court will be pleased to Grant us such relief as our Cause Justly Merrits, which we in duty bound shall ever pray —

Lewis Gay Jn° Cash } Committee

Raymondtown February 26th 1788

Petition of Town of Scarborough.

Commonwealth of Massachusetts

To the Honorable Senate & Honorable House of Representatives in General Court Assembled February 27th 1788 —

The Petition of William Thompson William Southgate and Ebenezer Libby Committee of the Town of Scarborough in the County of Cumberland, in behalf of said Town Humbly Sheweth that by Several Laws of said Commonwealth passed in the Years 1780 & 1781 Said Town was called upon for their Proportion of a Large Quantity of

Beef, a Considerable part of which was Collected and paid to David Noyes Agent to the Superintendent of Purchases for Said County, and agreeable to a further Resolve of said General Court Said Town Voted and assessed on the Inhabitants of said Towns a sum of mones sufficient to fully compleat said Requisitions which said money was collected and paid to the Treasurer of said Town before the 14th of June 1781, and by the salesmen of said Town was offered at the said Agents office in Portland on the 20th of the same month, but the said Agent being from home said money was not Received by him still remains in the Treasury of said Town of Scarborough, & said Town have since raised and paid to the Treasurer of said Commonwealth the whole of the Deficiency of the said Beef Requisetions, and whereas the said Superintendant and his Agents were Authorized by a Resolve of the said General Court to Receive the Bills of Credit of the United States at a Certain rate in Lieu of said Beef untill the 13th of May 1781 and by Another Resolve of the General Court aforesaid passed the 14th of June following said Agents were Authorized to Receive said Money at its Real Value Your Petitioners therefore Conceive that as said Town did seasonably Vote & assess said money and collect & pay the same to the Treasurer of said town & the said Town by their select men did all in their Power towards paying the same to the said Agent they Aught not to have been called upon afterwards to pay the same in Hard money save only such Part thereof as was Eaqual to the Depreciation of Said Bills of credit from the 13th of May to the 20th of June aforesaid for as the old currency aforesaid was offered by the selectmen of said Town on the 20th of June at the Agents office and as it was not the Town's fault that the said Agent was not in his office to Receive the same agreable to the said Resolve of the 14th of June we conceive the said money ought to be considered as being in the Agent's Hands in

which case the agent would have paid the same to the Treasurer of the Common Wealth and the Town in that case must have been credited for the same Your Patrons therefore Pray that the Treasurer of this Commonwealth may be Authorized to Receive of the Treasurer of said Town the aforesaid Bills of Credit of the United States Amounting in the whole to the sum of Eighteen Thousand Six Hundred and fifty seven Pounds twelve shillings, and may Likewise be authorized and Directed to pay to the Treasurer of said Town & for the Towns Use the whole of the Money Assessed and Paid by the Inhabitants of Said Town as their Deficiency for the Several Requisitions of Beef in the years 1780 & 1781 together with the Poundage and other charges paid by said Town on the Treasurer's Execution Issued against said town for said Deficiency Excepting such part thereof as is Eaqual to the Depreciation between the said 13th of May and the 20th of June And your Petitioner as in Duty Bound will Ever Pray &c.

Wm Tompson, Robert Southgate Ebenr Libby }
Committee of Scarboro

Report on Scarboro Petition.

Commonwealth of Massachusetts

In the House of Representatives Jany 26, 1789

On the Petition of Wm Thompson, Robert Southgate and Ebenr Libby Committee of the Town of Scarboro praying that the Treasurer of the Commonwealth be directed to receive of sd Town a certain Quantity of Continental Bills and to pay to said Town a Sum in Specie for the same for reasons set forth in said Petition.

Resolved That the Treasurer of this Commonwealth be and he hereby is impowered and directed to receive of the

said Town of Scarboro' Eighteen thousand pounds in bills of the old Continental Currency and to credit said Town of Scarboro' two Hundred and twenty seven pounds towards said Towns proportion of Tax Number Six, provided said Continental Bills are paid into the Treasury within three months from the passing this resolve

Sent up for concurrence

Theodore Sedgwick Spk^r

In Senate Feb^y 17, 1789 —

Read and Nonconcurred.

Treasurer's Receipt.

Treasury Office January 16, 1789

This Certifies that an Execution was issued by the late Treasurer Thomas Ivers Esq^r deceased, against the Town of Scarborough, for a deficiency on Beef Taxes, the Sum of Three hundred & seventeen pounds fourteen shillings; which Execution was on the second day of November 1787 Returned me Satisfied in full

Attest Alex Hodgdon Treas^r

Affidavit of Sam^l Harmon Jun^r

The Deposition of Samuel Harmon jun^r testifies and saith that I was Chosen Colector in the Town of Scarborough in the year 1780 and Receiv^d a List of the assesment of Said Town a beef Tax to Colect and my part of the Eighteen thousand pounds Now in our Treasure. I Colected and paid in before the 14^th Day of June 1781

Sam^l Harmon Jun^r

Cumberland ss. Scarborough June 7th 1785 —

The above named Samuel Harmon jun^{r} Personally appearing made oath to the truth of the above Deposition by him signed.— before

Joshua Fabyan jus. Peace

Affidavit of Dennis Marr.

The Deposition of Dennis Marr testifies and says that I was a Collecter in the town of Scarbrough in the year 1780 and that I Receved a list of the assessors of sa^{d} town a beef Tax to colect and my Part of the Eighteen thousand pound now in our Treasure I colected and paid In before the 14 of June 1781

Dennis Marr

Cumberland ss 2^{d} June 1785

then Dennis Marr Personally appearing made Oath to the Truth of the above writen by him subscribed before

W^{m} Tompson Jus. Peace

Affidavits of Eben^{r} Fogg and Peter Libbee.

Reuben Fogg & Peter Libbee being select Men for the Town of Scarborough in the County of Cumberland for the year 1781 Testify and Say that we Carryed eighteen thousand Six hundred fifty Seven Pounds & twelve Shillings towards paying for the Second Requisition for Beef in the year 1780 to Falmouth June 20th 1781 and Joseph Noyse

Esq; who at that Time managed the Agents business informed us that M^r David Noyse Agent for Beef for the said County was out of the County and that the Money was broug^t too late, and further Say that we Did not know before when the Time would be out and could find no Person that could tell us and further Say that we have still the money in our hands

Reuben Fogg Peter Libbee

Cumberland Ss 7^th Octo^r 1784.

Reuben Fogg & Peter Libbee above Named Personally appearing made Solemn Oath to the truth of the above writen by them subscribed, before

W^m Tompson Jus. Peace.

Petition of York.

Commonwealth of Massachusetts

To the Honourable the Senate and House of Representatives in General Court assembled

The Petition of the Subscribers Representatives of the Towns in the County of York in behalf of the Towns in said County humbly sheweth

That by reason of the severity of the Weather and the depth of the Snow during the present winter, the Inhabitants of said Towns have been incorporated to make sale of the Lumber &c which was the only recource from which they expected to derive the means of discharging their back Taxes In Consequence of which they have been utterly incapable notwithstanding their most strenuous exertions to discharge the same Your Honours petitioners therefore pray you to take their distressed circumstances into consideration and grant them such longer time to pay said taxes in as your Honours shall

think proper. And your Honours petitioners as in duty bound shall ever pray.

Boston Feb^{y} 29. 1788

Sam^{l} Nasson,	Isaias Prebble,
Jacob Bradbury,	Joseph Hubbard,
Moses Ames,	James Scamman

Memorial of Plantations in Lincoln County.

To the Honorable Senate, and the Honorable House of Representatives of the Commonwealth of Massachusetts in General Court assembled — Feb^{y} 1788 —

The Proprietors of the several Townships numbered, One Four Five and Six lying in the County of Lincoln at the Eastward of Mount Desart or Union River by their respective Committees — the Subscribers hereof — humbly shew

That they are absolutely unable to pay the Sum of £1250 required by the Resolve of the General Court pass'd the 21st d of June A. D. 1785 — as a Condition for Confirming the Grant of said Townships.

Soon after the passing of said Resolve, — they assessed the said Sum on the several Rights in said Townships, and advertised them according to Law — but no Person appeared to take any of said Rights at such an Expence — They have since laid their Case before the Honorable Court, but have not yet obtained Relief — and have therefore been discouraged from making any further progress in the settlement of said Townships

They humbly apprehend it would be greatly for the Interest of Government — were this Condition taken off as in this Case the Proprietors would be induced to put themselves forward, and to use their best endeavours to promote the settlement of their Lands which in their present dormant State produce no profit either to themselves or the Public —

Your Petitioners therefore in the name and behalf of said Proprietors — humbly pray that your Honors would pass a Resolve to release them from payment of the Sum aforesaid — and allow them a further time to perform the other Conditions mentioned in said Resolve —

And as in Duty bound will pray

Ebenr Thorndike, Nathel Jordan, George Deake	Committee for Township N° One
Cary Mclellan Peter Woodbery, George Drake	Committee for Township N° Four
David Strout, George Deake, Peter Woodbery	Committee for Township N° Five
John Armstrong, David Strout, Saml Freeman	Committee for Township N° Six

Samuel Freeman Agent for the Proprietors of the Townships aforesaid & now in Boston humbly begs leave to present the foregoing Petition to this Honorable Court & prays that a Committee may be appointed to take the same into consideration — and that he may have liberty in behalf of said Proprietors to lay their Case before them more particularly—

March 1788

In Senate March 3d 1788 —

Read and with the papers accompanying, committed to Cotton Tufts Esqr with such as the Honble House may join, to consider & report —

Sent down for concurrence

S Adams Presidt

In the House of Representatives March 3d 1788

Read and concurred and Mr White of West Springfield and Dr Coney are joined

I Warren Spkr

Resolve & Petition of Gideon Philbrick of Standish.

Commonwealth of Massachusetts

In house of Representatives March 5th 1788

On the Petition of Gideon Philbrick of Standish in the County of Cumberland setting forth that some time in the Month of March last past the said Philbrick did utter & say to One Edmund Mussey that if the said Mussey would take a Gun, Sword or Pistol and go into the Field with the said Philbrick, One or the other of them should be dispatched before they returned with other unwarrantable Expressions contrary to the Peace and Dignity of this Commonwealth for which Offence the said Philbrick is liable to prosecution and praying Pardon and forgiveness therefor

Resolved that the Prayer of the Petition be granted and the said Philbrick is fully and Compleatly pardoned for the Offence aforesaid and shall have full right to plead this Resolve on the General Issue and all officers are directed to govern themselves accordingly provided nevertheless that nothing in this Resolve shall be Construed to extend to an Exclusion of the said Mussey from any Prosecution of the said Philbrick for Personal Dammages

Sent up for concurrence

I Warren Spkr

In Senate March 6, 1788

Read & Nonconcurred

S Adams Presidt

Saml Darby's Petition to the General Court.

To the Honble the Senate, and the Honble house of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The Memorial of Samuel Darby of York in the county of York, humbly sheweth,

That Edmund Bridge Esq[r] Sheriff of the county of Lincoln, did petition your Honours at the last session of the General Court, shewing that the said Darby had recovered a Judgment against the said Bridge, before John Heard Bartlet Esq[r] by default, and praying that he the said Edmund might be admitted to a trial of the said action at the Court of Common Pleas"— Which Petition of the said Edmund being before the Court at the last session, the said Samuel understood that he the said Samuel was ordered to be cited to appear at the said Court on the second Wednesday of the then next session to shew cause, if any he had, why the prayer of the said Petition should not be granted:— And the said Samuel having appeared accordingly, has understood that your Honours on the 4[th] instant had so far granted the petition of the said Edmund, as to order that the said Edmund should serve the said Samuel with a copy of the said Petition and order thereon, to the end the said Samuel should appear on the second Thursday of the next session of the General Court and shew cause if any he has why the prayer of the said Edmund's petition should not be granted:

Wherefore, as the said Samuel is here present with his evidence, he prays that your Honors would so far reconsider your order of the 4[th] instant, as that the said Samuel might be admitted to appear forthwith, and shew cause why the prayer of the said Edmund's petition should not be granted: and your petitioner shall ever pray &c Sam[l] Darby

Boston, March 6, 1788.

Petition of Bunker Farwell.

Commonwealth of Massachusetts }

To the Honorable the Senet and House of Representatives in General Court assembled October 20, 1787

The Petition of Banker Farwell of Vassalborough in the County of Lincoln Humbly Sheweth That your Petitioner

having a Damand against Joshua Sincler of Hallowell in the same County for a Cartain yoke of oxon Which the said Joshua had converted to his one use sume time in March last, Commenced an action of the Case against the said Joshua for the recovery of the same oxen, before Ebenezer Farwell Esq^{r} a Justice of the peace Within and for said County and that your Petitioner and the said Joshua before the said Justice on the minth day of March last agreed to refer the said Dispute or Demand to the Determination of Capt. Henry Sewall, James Carr and Nehimiah Gatchel the Report of Whom or the Major part of whom being made as sone as might be to any Cort of Common pleas holden in and for said County of Lincoln and judgment thereon to be final— That the said Referees afterwards, to wit at the Cort of Common pleas hold at Pownalborough Within and for said County on the first Tuesday of June last made report that your petitioner should pay the said Sincler the Debt in said Action all the Corst & Charges that had arisen on the suit Commenced by your Petitioner against the said Joshua Sincler — That at the Time of the Hearing the Parties before the said Referees, your petitioner produced a Witness to prove his Demand aforesaid against the said Sincler Whoes Testimony would beyond all Doubt have Determined the Case in favor of your Petitioner had he ben admited, but the Referees refused to admit him to be sworn or to admit his testimony becose thay supposed that the said Wittness in Case your Petitioner shold recover Would be liable to a action from the said Sincler for the said oxon not Considering that the Testimony of a Wittness Which operate against him self is the best Evidence That the said Referees also agreable to their Report have saved all the Cost viz^{t} the Plaintiff Cost as Well as the Defendant against your Petitioner Which your Petitioner has been obliged to pay — that it was not the Intent of the Referees that your Petitioner

should pay the Debt the Cost which he himself had advanced to prosecute his said Suit tho they inadvertently made such a Report and taxed said Corst in manner aforesaid Wherefore By Reason that the said Referees Rejected the Testimony of a good and legal witness your petitioner has lost a valuable yoke of oxon which he was justly entitled to and by Reason of the great Mistake made by the said Referees in taxen the Bill of Cost aforesaid, your petitioner has ben unjustly obliged to pay the sum of five pounds ten shillings & 11^{d} more then the real Cost what had accrued to the said Joshua in Defending the said Suit — Wherefore your petitioner humbly prays your Honors to take the matter into your Consideration and grant him Relief in the premises by seting aside the report of the said Referees and reversing the judgment of Cort thereon, and granting your petitioner a New hearing before the said Referees or a trial at sum Cort of Common pleas to be Holden Within & for said County — and your petitioner as in Dute bound &c

Bunker Farwell

Whereas Bunker Farwell of Vassalborough in the County of Lincoln Yeoman and Joshua Sincler of Hallowell in said County Yeoman did on the 9th day of March 1787 agree and oblidge themselves to submit to us the Subscribers a certain demand made by the said Farwell against the said Sincler in a Process of Confession wherein the said Farwell is plaintiff & the said Sincler Defendant, which Parties having been legally notified, did attend at the house of David Thomas Innholder in Hallowell aforesaid on the 20 & 21 days of March 1787, when and where after a full hearing of the Pleas and Allegations with the Evidences of each of the Parties aforesaid upon the premises by them disputed, we

the said Subscribers do determine and award as follows — viz[t] That the plaintiff pay the Defendant all the Costs and Charges that have arisen on the Suit commenced by the said Bunker Farwell against the said Joshua Sincler

James Carr H. Sewall Nehemiah Gatchel } Referees

Hallowell, April 2, 1787.

Copy Exam[d] by Jon[a] Bowman Cler.

Bill of Cost on an Action of Conversion, or Process of Confession — Farwell vs Sincler

Plts Cost Total £8 .. 18 .. 10

H Sewall, James Carr } Referees

Copy Exam[d] by Jon[a] Bowman Cler.

Action on Farwell's petition.

Commonwealth of Massachusetts

In the House of Representatives Nov. 15, 1787.

On the Petition of Bunker Farwell praying for a rehearing in a certain cause in which the said Farwell was Plt and one Joshua Sinkler was Def[t] and that a judgment of the Court of Common Pleas consequent upon the report of certain Refferrees in the same cause may be reversed for reasons set forth in his Petition

Ordered that the said Bunker Farwell notify the said Joshua Sinkler to appear on the second wenesday of the next sitting of the General Court, by serving him the said Joshua with an attested Copy of the said Petition and this Order thereon fourteen days at least before the said second Wednesday in order that the said Joshua Sinkler may then

appear and shew cause if any he has why the prayer of the said Petition should not be granted, and in the mean time that no execution or alias execution be issued upon the same Judgment and if any such execution has already issued that the same be stayed

Sent up for concurrence

I Warren Spk^r

In Senate March 8^th 1788

Read & Nonconcurred and Ordered, that the Petition be dismissed —

Sent down for concurrence

S Adams Presid^t

In the House of Representatives March 10, 1788.

Read and concurred

I Warren Spk^r

Report on the Representation of Compt^r General.

Commonwealth of Massachusetts

In the House of Representatives March 11^th 1788

The Committee to whom was committed the Representation of the Comptroller General have attended thereto & ask leave to report — two Bills — one in Addition to the Imprest Act, the other in addition to the Excise Act: also, a Resolve directing how Bonds given to secure the Impost on Goods, imported into this State before the first day of January 1787 by Citizens of other States & afterward exported to the States where the Owners lived, may be cancelled they likewise beg leave to report, as their Opinion, that the Choice of a Naval Officer for the port of Portland and a Collector of Impost & Excise for the Eastern District of the County of Lincoln be postponed until the Annual Choice of such Officers in June next

Cap^t Jesse Johnsons Petition.

To the Honorable the Senate the Hon^ble the House of Representatives

The Subscriber humbly sheweth that he is Collector of Tax N° 5 — and that he has received in payment of the Specie part of s^d Tax a Number of Orders drawn by Soldiers upon the Treasurer who declines receiving of them on account of the Claim which the Bank have to the first monies which shall be collected upon that Tax — Whereupon the petitioner prays for Redress — and he as in Duty bound will ever pray —

Jesse Johnson

Boston March 15^th 1788

Petition of Eben Prout.

To the Hon^ble Senate & To the Hon^ble House of Representatives in Gen^l Court Assembled March 1788 —

The Petition of Ebenezer Prout late of Falmouth

Humbly Sheweth. That your Petitioner was our officer in the Customs or Naval office at Falmouth (Now Portland) Seven Years before the Late War & of the Same Rank in Said office with the Late Naval Officer deceas'd who was then in said office. That your Pet^r hearing of Lexington fight. Left said office & Came to head Quarters to Serve his Country & Sacraficed forty pounds Sterling — That Your Petitioner Serv'd as Clerk to Several Com^tee & Several Years with the Com^tee on Accounts Constantly & Diligently When they were full of business & much hurried, & when he was paid of his pay did not amount To one shilling p^r day in Specie. Your Pet^r Pray^d to be allowd Depreciation, but faild, and as the office at Portland is Now Vacant, he prays he may be appointed to said office or made whole

for his aforesaid Loss & Services Or in Such A Way & manner as Your Honours in Your Great Wisdom Shall see fit & Your Petr as in Duty bound Shall Ever Pray &c

Eben Prout

Hallowell Petition.

Commonwealth of Massachusetts

To the Honble Senate and House of Representatives of said Commonwealth in General Court assembled —

The Memorial of the subscribers Inhabitants of the Town of Hallowell in the County of Lincoln

Humbly sheweth

That satisfied as we are, with our present Government and Constitution, we do not wish for a change, unless we could be assured, it would at least tend in some considerable degree to promote the General happiness of the People and the welfare of the federal Union; but we are apprehensive that the seperation so much wished for by some, in the Counties of York, Cumberland and Lincoln, from the Government of Massachusetts can not at present have the smallest tendency to obtain or secure either of those valuable ends: on the contrary we feel a conviction, that such a separation at this time, must greatly contribute to enervate our federal Government by an unnecessary increase of the number of Petty States, to impoverish the People by an additional weight of taxes, to render the proposed new State weak and contemptible, and in a great measure to destroy the influence and consequence of this Commonwealth in the great Council of the Nation.

Urged by these considerations, we think it our duty to communicate to your Honors, the extraordinary method which

a certain Party have taken in this town, in order to procure a majority of voices in favor of the said seperation — Subscription Papers have been formed under the auspices of a few particular Men, for the ostensible purpose of obtaining the sentiments of the People on this important question; these Papers have been committed to a number of professed and zealous Advocates for the New State, who carried them about the Town, and applied to Individuals seperately, to whom they painted in lively colours, all the imagined advantages of a seperate Government, without any of its real inconveniences; and by this means many honest well meaning Persons, have been induced to subscribe to the affirmative of the question, who we are sensible on having its true merits impartially stated and explained to them, would never have given their assent to this measure, which we conceive can answer no valuable purpose, unless it be to gratify the ambition and feed the vanity of a few Men, who under the fair guise of public spirit, the general good of the People in those Counties, and an affectation of superior political information are (we fear) only aiming at places of honor and profit for themselves; but as a procedure so evidently partial, and unauthorized by any Legislative act, can never impose upon the wisdom of the honorable Body we address, so we content ourselves with stating facts, without making any comments upon the conduct of a Party, who have artfully made the People believe, that their doings in this instance were for the information, and undertaken at the desire of the General Court.

Joseph North, William Howard, Laz^{s} Goodwin, Elijah Davis, Geo: Goodwin — 5 signer, Nath^{l} Thwing, Ezekiel Porter, Elias Crage, James Child, James Cocks — 10, Sam Hussey, Nath^{l} Hearsey, Sam^{l} Colman, Brown Emerson, Daniel Savage, Robert Deniston, Nathan Weston, William Brooks, Brian Fletcher.

In the House of Representatives, March 15, 1788.

Read and committed to the Committee of both Houses this day appointed upon the Petition from the convention of Delegates held at Portland, upon the same subject

Sent up for concurrence

I Warren Speaker

Abstract of yeas & nays for State.

	Yeas	Nays
Winthrop L.	93.	
Falmouth C.	39.	
Standish C	12.	3
Sylvester C	43.	7
Topsham L.	62.	1
Portland C.	18.	4
New Gloucester C.	74.	1
Bucktown Y	15	
Bridgetown C	35.	2
Hallowell L	58.	
Fryburg Y	36.	
Goreham C	50.	4
Bath L	74.	
Winthrop & adjacent L	45.	
Harraseket C	9	
Sheppardsfield C	49	
Bakerstown C	27	
Sudbury Canada C	28	
Brownfield Y	24	
Jones Plantation L	29	
Gloversboro C	32	
Canaan & Noridgewalk L	106	
Lewiston L	25	

Plantation of Hancock L	59	
New Sandwich L	42	
Winston L	40	
Pownalborough L	43	
Belfast L	11	
	Yeas	Nays.
Total	1178	22

In convention about 30 towns represented, about 2/3 for the petition 1/3 against it.

Order.

Commonwealth of Massachusetts }

In the House of Representatives, March 15, 1788.

Ordered that the state of the votes, respecting the setting off the Eastern Counties into a seperate State, accompanying, be committed to the Committee appointed upon the Petition of the Convention of Delegates held at Portland, upon the same subject

Sent up for concurrence

I Warren, Spk^r^

In Senate March 18, 1788

Read & concurred.

S. Adams Presid^t^

Joseph Boyd Petition.

To the Honourable the Senate & House of Representatives in General Court Assembled

humbly shews Joseph Boyd of Bristol in the County of Lincoln Attorney to Jedediah Preble Commisary for supply-

ing the troops at Penobscot River in the year 1779 by order of Brig^{r} General Cushing, that the said Prebble supplyd the Troops at that Post with sundry Provisions to the Amount of Four Thousand nine hundred and eighty six pounds twelve shillings in the then currency which reduced according to the Scale amounts Two hundred & forty six pounds two shillings & eight pence; in 1784 your Memorialist applied to the Honble Legislature for the Discharge of the amount of said Prebble who refered the Settlement to the then committee on accounts to settle and ajust the same according to the best evidence they could Collect, the Committee attended the Business but from want of vouchers on the part of your memorialist which it was out of his power then to procure they allowed upon the said account no more than the sum of ninety eight pounds fifteen shillings & eleven pence, the necessary vouchers to the whole acc^{t} your memorialist has now in his possession wherefore as in Duty bound he prays this Hon^{l} Court that his account may be adjusted anew & settled in such manner as the Hon^{l} Court shall find to be Just and Eaqual

Joseph Boyd } Attorney to Jere Prebble

Commonwealth of Massachusetts

In the House of Representatives March 17th 1788.

on the petition of Joseph Boyd in behalf of Jedediah Prebble praying for allowance for Sundry Articles Suplied the Troops at penobscot in the year 1779 — ordered that the said petition & acc^{t} ^{A} be referred to the Committee for stateing & Methodizing the Accounts of this Commonwealth ^{B} who are hereby directed to examin the same & report thereon as soon as may be

Sent up for concurrence,

I Warren Spk^{r}

In Senate March 17, 1788.
Read & concurred with an amendment at A
Sent down for concurrence
S Adams Presid^{t}

A dele from A to B & ins^{t} on accounts
In the House of Representatives March 20, 1788.
Read and concurred
I Warren Spk^{r}

Govr's Message March 17 — 1788.

Gentlemen of the Senate & Gentlemen of the House of Representatives

The Secretary will lay before you a letter which I received from the Honourable Benjamin Lincoln Esq^{r} with a memorandum to which it refers for some facts — and also another letter from John Lee of Penobscot a Gentleman mentioned in General Lincoln's Letter.

By these Letters it appears that the line of property between the Commonwealth's land and those of the Penobscot Tribe of Indians is not formally settled and that a difficulty and dissention may take place unless some further attention is paid to that affair.

By the same Letters and by papers remaining in the Clerk's Office of the Supreme Judicial Court it appears that Andrew Gilman Archibald M^{c}Phetres and James Page have been committed upon suspicion of having murdered Peeal an Indian of that tribe, but no evidence appearing against them they were enlarged on recognizance to appear at the next term: least there should be a failure in the prosecution I have by advice of Council requested Joseph Hibbert and Charles Joy Esq^{rs} two Justices of the Peace near the place where the unhappy affair is said to have been transacted to convene before them and to recognize such Witnesses as may be had:

and have also requested them to give that Tribe of Indians notice when the Trial will take place, that such of them may attend as shall choose to be there.

I have also given the Attorney General notice of these measures and urged his attention to the business as a matter on which the peace & safety of some part of the County of Lincoln very much depend —

This is all that lays within my department in this business, but I conceive it to be my duty Gentlemen to request your attention to it as a matter that is of great consequence to the Commonwealth for though perhaps a very small force may subdue or extirpate that Tribe of Natives if they should commence hostilities, yet the effecting it would be more expensive & troublesome than the compleating a Treaty respecting their Lands can be. I need not observe that it is much more consistent with humanity to conciliate their affections, than to subdue them by force.

John Hancock

Council Chamber March 17th 1788.

Petition of Edmund Bridge.

The Honorable Senate & house of representatives in General Court assembled

humbly Sheweth Edmund Bridge Sheriff of the County of Lincoln, that Sundry Executions were directed to him by Mr Treasurer Hodgden which after your petitioner had at a Great Expence, waited on the Several persons mentioned, in said Executions he was ordered by the Honourable General Court, to return Said Exemtions, not Satisfied, wherefore your Petitioner prays this Honourable Court that his fees may be allowed him for Said Services, agreeable to his account and as in Duty Bound Shall Ever Pray

Edmund Bridge

Boston March 19, 1788

1788 on the Common Wealth of Massachusetts In and with Edm^d Bridge

March — To my fees on the Executions Common wealth vs Jas Steward £1.10.0 To ditto vs W^m Stinson 1.10.0— To ditto 3. Exon^# vs. Francis Burnham 4.10.0 To ditto Six ditto on the beef Tax 9.0.0 To 1 do William Whittier 1.10.0 To 1 do Tho^s Gray 1.10.0 To 1 Ditto Jonathan Whiting 1.10. Total £21.0.0

I Certify the above Execon's have been Issued and Return'd as p^r Resolve of Court &c

Alex Hodgdon Treas^r

Treasury Office March 14, 1788

Pownalboro, 19^th March 1788 Errors Excepted

p^r Edm^d Bridge

Re — Lands sold by Committee on Eastern Lands.

Commonwealth of Massachusetts, March 24, 1788.

To the Hon. House of Representatives.

The Subscriber, in behalf of the Committee on the Sale of Lands & in Compliance with the Order of the Hon^l House of Representatives to lay before them an Account of all Lands sold by the Committee since the last Session of the General Court, respectfully represents that the Committee have only sold one Township adjoining to Machias — and the Island in front of the same — for which Mes^r Lucas & others — the purchasers have paid & are to pay, six thousand one hundred & seventy pounds 1716 — in Consolidated notes — & fifty one pounds in specie to be paid by 34 settlers who were upon the Lands prior to the 1^st Jan^y 1784.

Leo Jarvis,

one of the Committee on the sale of Land.

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